

**Testing the Effectiveness of Non-Governmental Organizations (NGOs):
Case Studies of the Landmines Initiative and the Multilateral Agreement on
Investment with a Focus on Canadian Foreign Policy**

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B.A., University of Northern British Columbia, 2000

Project Submitted In Partial Fulfillment Of

The Requirements For The Degree Of

Master Of Arts

in

International Studies

The University of Northern British Columbia

December 2007

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ABSTRACT

This project attempts to answer how and why nongovernmental organization (NGO) campaigns were effective in achieving their desired outcomes in the campaign to ban landmines and the campaign to stop the Multilateral Agreement on Investment (MAI). Second, the project asks how and why NGOs were effective in influencing Canadian foreign policy on landmines and the MAI? Third, how do these two campaigns compare in effectiveness and what lessons can we extract from such a comparison? The NGO campaigns are analyzed against a taxonomy for NGO campaign effectiveness, developed by Jennifer Chapman and Thomas Fisher (2000). The taxonomy's variables, which Chapman and Fisher argue facilitate NGO policy campaign effectiveness, are compared to the variables that facilitated the landmine and MAI NGO policy campaigns, and the results show that the taxonomy's variables are consistent in both campaigns.

ACKNOWLEDGEMENTS

I dedicate this project to my supervisor, Dr. Heather Smith, in respect of her patience, mentorship, intelligence, and positive energy.

Thank you to Dr. Caroline Clarke for generously accepting to be a part of my project committee and to Dr. Ken Wilkening for his guidance during the revision process.

I would also like to acknowledge the support I received from my Mom and Dad, my brothers, Tristan and Daniel, and, of course, the irreplaceable Vicki Chen.

LIST OF ACRONYMS

APM = anti-personnel landmine
BIAC = Business and Industry Advisory Council
BITs = Bilateral Investment Treaties
CBC = Canadian Broadcasting Corporation
CCW = Convention on Certain Conventional Weapons
CD = Conference on Disarmament
CFP = Canadian Foreign Policy
CIME = Committee on International Investment and Multinational Enterprises
CMIT = Committee on Capital Movements and Invisible Transactions
DCLC = Defence of Canadian Liberty Committee
DFAIT = Department of Foreign Affairs and International Trade
DND = Department of National Defense
FDI = Foreign Direct Investment
FTA = Free Trade Agreement
FTAA = Free Trade of the Americas
GATT = General Agreement on Tariffs and Trade
GATS = General Agreement on Trade in Services
ICBL = International Campaign to Ban Landmines
ICC = International Chamber of Commerce
ICRC = International Committee of the Red Cross
IDA = Non-proliferation, Arms Control and Disarmament Division (a division of IDD within DFAIT)
IDD = International Security Bureau (a division of DFAIT)
IHL = International humanitarian law
MAI = multilateral agreement on investment
MAC= Mines Action Canada
MBT = Mine Ban Treaty
MNC = Multinational Corporation
MP = Member of Parliament
NAFTA = North American Free Trade Agreement
NGO = non-governmental organization
OECD = Organization of Economic Cooperation and Development
UN = United Nations
UK = United Kingdom
U.S. = United States
USCBL = United States Campaign to Ban Landmines
USCIB = United States Council for International Business
TANs = transnational advocacy network
TRIMs = trade-related investment measures
VVAf = Vietnam Veterans of America Foundation
WTO = World Trade Organization
YMCA = Young Men's Christian Organization

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CHAPTER 1: INTRODUCTION

1.1 The Contemporary NGO World

Non-governmental organizations (NGOs) have a long history, almost 200 years (Paul 2000; Simmons 1998). In the early 1800s, British and American citizen organizations were driving forces behind the 1840 World Anti-Slavery Convention (Simmons 1998). The World Alliance of Young Men's Christian Associations (YMCAs) was founded around the same time (Paul 2000), and the International Committee for the Red Cross (ICRC) came into existence between 1859 and 1863 (ICRC 2007). The number of internationally operating NGOs expanded after World War I: there were as many as 135 international NGOs around 1910, 375 by 1930, and 427 by 1940 (Iriye 1999: 422).

NGOs gained formal recognition in 1945 in Article 71 of Chapter 10 of the United Nation's (UN) Charter, which reads as follows: "The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence" (United Nations 2007). Since this time, NGOs have proliferated (McGann and Johnstone 2006); current estimates suggest that there are over 40 000 internationally-operating NGOs (United Nations 2007). Today there are numerous types of NGOs in the world, working at multiple levels – local to global – and differing in goals, memberships, funding sources, and activities (Simmons 1998). There are many reasons for the dramatic upsurge in NGO numbers, including population increase, more frequent and deeper levels of integration, and overall increased organizational complexity in our multi-issued and globalizing world.

In addition to the great number and variety of NGOs, these organizations are engaged in a great number and variety of “campaigns.” In general terms, such that it is applicable to any level, a campaign is defined as a movement made either by a single NGO or a consortium of NGOs which aims to achieve change by encouraging new treaties, standards, or institutions. An international campaign is this generic definition plus an international component; thus, an international campaign is a movement which aims to achieve international change by encouraging new treaties, standards, or institutions. In this project, I discuss only international NGO campaigns, and thus in the remainder of the project I use the terms ‘international NGO campaign’ and ‘NGO campaign’ interchangeably.

NGO campaigns are characterized by many kinds of campaign structures and strategies. Campaign structures include coalitions and transnational advocacy networks (TANs). NGO campaign strategies include conducting research, promoting policy development, raising public awareness, engaging in educational activities, creating networks, and providing expertise.

NGO campaign organizers participate in coalitions, and TANs use a multitude of strategies because the process for achieving policy change at the international level is highly complex. Policy issues can be simultaneously debated in multiple arenas (in government circles, in multilateral organizations, in corporate boardrooms) by a diversity of actors (government bureaucrats, diplomats, scientists, academics, lawyers, celebrities, and NGO representatives). To be effective, NGO campaigns must themselves operate simultaneously in these multiple arenas with these multiple actors. Furthermore, mastering technology such as the internet and World Wide Web, interfacing with the

mass media, and assimilating the interconnectedness of issues adds to a campaign's complexity. In short, NGOs within the context of a given international campaign must manage a multitude of tasks at various levels and in many arenas to achieve their desired policy outcome.

There are numerous studies of international NGO campaigns designed to influence international policy such as Steve Charnovitz's (1997) detailed history of NGO involvement in international decision making; Wendy Schoener's (1997) and Anne Marie Clarke's (1995) investigations of NGO activities and methods in global affairs; P.J. Simmons' (1998) analysis of reasons for the rapid increase in and the potential limitations of NGO campaigns; Margaret E. Keck and Kathryn Sikkink's (1998; 1999) investigations on how NGOs build coalitions and TANs; Margaret G. Hermann's (2001) and Joe D. Hagan et al.'s (2001) analyses of how NGOs can contribute to the shaping of foreign policy; and Alan Hudson's (2001) investigation of how and why NGOs and TANs work.

1.2 NGO Effectiveness

One of the key questions that is asked of international NGOs campaigns is: When are NGO campaigns effective? A seminal work, by Jennifer Chapman and Thomas Fisher's (2000), on NGO campaign effectiveness regards effectiveness in the context of NGO campaigns, by a campaign's ability to achieve its objective of an international policy change. At the state level, NGO campaign effectiveness is equivalent to a state-level policy change. Chapman and Fisher deduced a set of variables (a taxonomy) that help explain how and why NGO campaigns are effective. Their work (explained in detail in Chapter 2) is the basis for my research.

While there are numerous examples of NGO campaigns that have met some level of success in terms of affecting policy, I was interested in two international NGO campaigns that were highly effective in facilitating international policy -- the International Campaign to Ban Landmines and the NGO campaign against the Multilateral Agreement on Investment (MAI), and it will be seen that both NGO campaigns were effective in affecting international policy change — the NGO campaign against landmines culminated in an international treaty; the campaign against the MAI resulted in the abandonment of an agreement on multilateral investment.

1.3 Canada, Foreign Policy, and NGOs

As already mentioned, there are multitude of international NGO campaigns and multiple levels and locations at which these campaigns can take place. One prominent level and location at which activity took place relative to the landmine and MAI campaigns was the national level in Canada, especially Canadian foreign policymaking. My research focuses on these two campaigns and looks closely at this level/location of the campaigning.

Canada had significant involvement in both the landmines and MAI issues. In addition, Canada has a reputation for developing meaningful working relationships with NGOs (Axworthy and Taylor 1998, Cooper 2001, de Larringa and Sjolander 1998, Haddow 2002, Hampson and Oliver 1998, Smith and Smythe 2003, Schaefer 2004, Williams 2006). Thus, Canadian foreign policymaking on these issues provides fruitful ground for analyzing NGO effectiveness. In both cases, Canada's policy position was affected by its relationship with NGOs. This project contributes to this body of work because to my knowledge, only two publications have addressed the Canadian venue of

landmines and MAI campaigns, Turenne Sjolander and Miguel de Larrinaga (2000) and Karen Mingst and Craig Warkentin (2000). Sjolander and de Larrinaga investigated how and why the Canadian federal government constructed a relationship with NGOs in these two campaigns, and Mingst and Warkentin used the landmines and MAI campaigns to examine “the implications of a global civil society and the World Wide Web for NGO activity” (Mingst and Warkentin 2000, 237). Neither study directly addresses the issue of NGO campaign effectiveness.

1.4 Research Question

This project asks three central questions: How and why were NGO campaigns to ban landmines and the campaign against the MAI effective in achieving their desired outcomes? Second, how and why were NGOs effective in influencing Canadian foreign policy on landmines and the MAI? Third, how do these two campaigns compare in effectiveness and what lessons can we extract from such a comparison?

As already mentioned, NGO campaign effectiveness is defined in terms of achieving international policy change. In the case of the landmine campaign, the international policy change was the successful creation of a landmine treaty. In the case of the MAI campaign, it was the failure of the MAI negotiation process.

These questions are answered in forthcoming chapters as follows. In Chapter 2, Chapman and Fisher’s taxonomy of variables contributing to NGO campaign effectiveness is presented. Chapters 3 and 4 contain the chronologies of the landmine and MAI campaigns, each with a focus on CFP. Each chronology is analyzed, using Chapman and Fisher’s taxonomy, to determine the reasons why NGOs were effective in influencing Canadian foreign policy on these issues. In Chapter 5 the two campaigns are compared.

In Chapter 6, the results of the comparison are used as the basis for extracting lessons on NGO effectiveness. In addition, I comment on various deficiencies in Chapman and Fisher's taxonomy as revealed by my case study analysis. Finally, a discussion of further areas of study is presented. With this outline in place we can move to the next chapter.

CHAPTER 2: CHAPMAN AND FISHER'S TAXONOMY

2.1 Introduction to Chapman and Fisher's Taxonomy

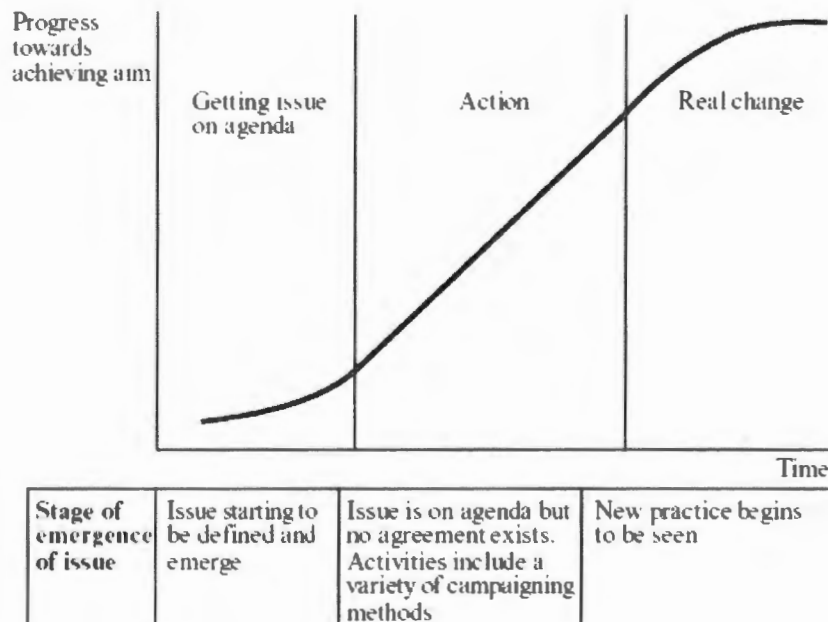
In my research, I use Chapman and Fisher's (2000) taxonomy of variables to investigate the effectiveness of NGOs generally and more specifically in context to Canadian foreign policy. In the original article, Chapman and Fisher analyzed two long-running international campaigns—the campaign to promote breast feeding in Ghana and the campaign against the use of child labour in the carpet industry in India, both of which met some success in respect to changing government policy. Based on their case studies, they derived a list of eleven variables that influenced campaign effectiveness, and postulated that these are generic variables applicable to other case studies. The variables are: (1) timelines, (2) concurrent work, (3) collaboration, (4) legitimacy, (5) individuals and mobilization of groups, (6) narrow focus, (7) role of government and judiciary, (8) international context, (9) implementation and monitoring, (10) tools, and (11) grassroots involvement. Each is discussed below.

2.2 Chapman and Fisher's Variables of NGO Campaign Effectiveness

Variable 1: Timeline

The longer a campaign the greater the likelihood it will be effective. The outcome of a campaign rarely depends on a single variable or event; rather, the cumulative effect of campaigning over time can lead to "precipitative moments" (156) which may change policy and practice. Thus, the longer a campaign, the more likely a precipitative moment can be achieved. A hypothetical policy time-line is shown in Figure 2.1.

Figure 2.1: The policy timeline



Source: Chapman and Fisher 2000, 156.

The timeline is simplistic because real life campaigns do not necessarily finish one stage before moving into the next. Instead, NGOs adapt as an issue changes, progress goes faster in some arenas than in others, and a campaign can be at different stages at different levels (e.g., international and national) and in different locations. Chapman and Fisher argue that campaigns are not linear and do not have defined beginnings or endings, and a long timescale is needed to achieve real change (157).

Variable 2: Concurrent work

To be effective, an NGO campaign must engage in concurrent work at many different levels (e.g., international, national, grassroots), and in different arenas (e.g., within the NGO world, with multilateral organizations, and within foreign policymaking

circles) (157). It is not necessary for NGO campaigns to be involved in all of the areas simultaneously, but campaign organizers must decide what arenas, what partnerships, what activities, and so forth will be most effective for advancing their agenda at different times (157). In other words, they must decide what concurrent work to engage in to be effective. Table 2.1 shows some of the arenas and elements of concurrent work.

Table 2.1: Elements of Concurrent Work

Level	Arenas	What is particularly helpful
International	<ul style="list-style-type: none"> — International NGOs — Multilateral organisations — National governments — Consuming public — Voting public — Industry 	<ul style="list-style-type: none"> • Existence of international codes, legislation and conventions • Active international campaign • Consumer activism • Independent monitoring
National/ regional	<ul style="list-style-type: none"> — National government — Regional government — Judiciary — Public opinion — National NGOs — Industry 	<ul style="list-style-type: none"> • Progressive legislation upholding rights • Legal pressure points (e.g. Supreme court) • History of social activism and NGO activity • Aware population • Labelling systems • Independent monitoring
Grassroots	<ul style="list-style-type: none"> — Communities — Grassroots NGOs — Families — Individuals 	<ul style="list-style-type: none"> • Active civil society organisations • Aware population • Active individuals

Source: Chapman and Fisher 2000, 157.

Variable 3: Collaboration

NGO policy campaigns are effective when NGOs simultaneously participate in partnerships with policymakers and in advocacy campaigns outside of policy arenas. In other words, effective NGO campaigns facilitate collaboration between different types of

organizations. Chapman and Fisher argued that to achieve policy change, an NGO campaign needs to use both “outsider” strategies (i.e., various NGOs collaborate to lobby against targets such as departments of a federal governments and “insider” strategies (i.e., NGOs work with target actors such government bureaucrats) although the campaign will be predominately characterized by one or the other (158). Collaboration between policy actors can take on different forms to help move a campaign forward.

Collaborations usually take on one of three forms: pyramid, wheel, or web (158). The pyramid has a coordinating secretariat that sends and receives information vertically; the wheel has one or more focal points with information flowing in and out and also directly between members; and the web has no focal point and information flows to and from all organizations relatively equally (158). Additional players in a campaign can make cooperation more complex, and NGOs working with different strategies in different arenas can lead to conflict, especially when NGO campaign styles differ (158).

Variable 4: Legitimacy

NGOs must establish and maintain their legitimacy to be effective, and they should contest the legitimacy of their opponents (159). In fact, all actors in a campaign, both NGOs and their targets, spend time and energy establishing and maintaining their legitimacy and contesting that of their opponents (159). Five bases are used to legitimize NGO campaign work: practical experience on the ground; the promotion of a particular value which is widely recognized and/or enshrined in international law; knowledge and research; the promotion of democratic principles and practice; and alliances and networks (159). There may be competition between NGOs over funds, and most NGOs draw on a variety of the bases to legitimize their campaign work (159).

Variable 5: Individuals and mobilizing people

Individual leaders and mobilized citizens are both critical to NGO campaign effectiveness (159). Individual champions can play key roles in campaigning and achieving policy change, especially those combining social conscience and a strategic vision. At the later stages of a campaign, however, a few key people are rarely enough to affect a policy change. Thus, a key issue is how to mobilize people for the lengthy timescale that is required to achieve a policy change (159). Some ways that a campaign's membership can be strengthened include providing people with active roles, recognizing their contributions, developing concrete tools to allow concrete changes, and recognising campaign successes as they happen (161).

Variable 6: Narrow focus

A focussed or narrow campaign increases the likelihood of campaign effectiveness (161). 'Narrow' refers to a single, clearly defined, policy objective. Some advantages of a narrow focus are that it makes clear the target of the campaign, it can make people distant from the situation feel they can do something, and it can work as a communication tool (161). Furthermore, having a narrow focus can be useful when NGO campaign organizers are formulating an issue and it can help campaign organizers ensure that concrete progress along an NGO campaign timeline is made. Sometimes a narrow focus can be broadened to tackle wider issues and causes (161). For instance, at some point on a NGO campaign timeline, a narrow policy goal of banning the use of a weapon could be broadened to also include a ban on manufacturing and selling it. Therefore, a narrow focus can be adapted to include somewhat wider issues and causes. However, a narrow focus can oversimplify and distract from a wider problem or deeper causes, it can

target response too narrowly, it can make involvement in grassroots harder, and it can undermine civil society in nascent democracies (161).

Variable 7: Role of government and judiciary

Local, national, and international law can play crucial roles in an NGO campaign's effectiveness (161). For example, established laws can be used to promote an NGO campaign's legitimacy and new laws can help make policy changes concrete. At some point along an effective NGO campaign's timeline, government bureaucrats and lawmakers are involved, in order to get a legal framework in place, ensure that a law is implemented, raise funds for large programmes that NGOs could not afford independently, change attitudes and practice in government institutions, and give permanency to issues by enshrining them in law (161). In other words, NGO campaigns need to use judiciaries to advance their campaign objectives.

Variable 8: International context

The international context of an NGO campaign can influence its effectiveness (162). The following international factors can help an NGO policy campaign: collaboration between NGOs from different countries, enforcement of international conventions, and coverage of an issue in the international media (162). Collaboration between northern and southern NGOs can, for example, be useful in moving a campaign along its timeline in various arenas (162). In addition, an NGO campaign can benefit from another campaign's experience and knowledge. International conventions can help NGO policy campaigns press for change. Lastly, international media can play a more significant role than national media in influencing government policy.

Variable 9: Implementation and monitoring

To be effective, NGO campaigns must work to make sure implementation and monitoring procedures are in place and they themselves might even have a part in this (163). Achieving policy is not the end: organizations such as governments and corporations can renege on or ignore policies (163). NGOs want concrete evidence that a policy change has occurred and is being enforced. NGOs, for the most part, play the role of watchdog in the implementation and monitoring of new policies, but they can also work to empower grassroots to monitor policies on the ground and work to publicize policy violators (163).

Variable 10: Tools

Chapman and Fisher (2000) argued, “Campaigning on an issue is not enough if effective tools for making change are not promoted as well” (163). Whereas legislation or conventions were often seen as the primary goal of such work, Chapman and Fisher suggest that other campaign tools are also being developed. Such tools include the use of codes of conduct, labelling, and social auditing, especially when neither national legislation nor international conventions exist, or are too weak, too broad or unspecific, or when their implementation through the legal system or government is problematic (163). However, Chapman and Fisher identified two possible problems with using these tools. First, disagreements may arise between NGOs with different ideas about which tools to use, in which arenas to use them, and about how they should be administered (163). Second, to fool the public, opponents may try to use similar tools (against NGOs) for their own ends (163).

Variable 11: Work at the grassroots

Grassroots involvement is key for NGO campaign effectiveness in respect to setting agendas, building campaign momentum, and ensuring real and sustained change (163). Individuals and organizations at the grassroots level need to feel committed to the NGO campaign so that they feel a sense of ownership of the NGO campaign and its policy goals (163). Work at the grassroots level connects and contributes to the other levels, and grassroots level commitment to the NGO campaign can result in the grassroots affecting change (163). In fact, support from individuals and organizations at the grassroots level facilitates the transfer of policy-to-practice through project work (163).

2.3 Summary

This chapter outlines Chapman and Fisher's variable taxonomy. To aid in clarity for the reader, Table 2.3 provides a summary of the taxonomy. This taxonomy will be used in the next two chapters to analyze the effectiveness of NGOs in influencing Canadian foreign policy in the landmine and MAI campaigns, respectively. The landmine campaign follows the table of the taxonomy.

Table 2.3: Taxonomy of NGO Effectiveness

Variable	How variable contributes to NGO campaign effectiveness
1. Timeline	<p>Campaigning over time may lead to precipitative moments which may have a major impact in terms of change in policy and practice.</p> <ul style="list-style-type: none"> • Campaigns are not linear and do not have defined beginnings or endings. • Campaigns are likely to be simultaneously at different stages (timeline) at different levels in different locations. • There is a cumulative effect of campaigning over time.
2. Concurrent work	<p>To be effective, work has to be conducted at many different levels and, within these, in different arenas and with different actors.</p> <ul style="list-style-type: none"> • In order to bring about change, it is not enough to target one sector, actor, or set of actors. • It is important to select the arena which will be most effective in moving the campaign forward.
3. Collaboration	<p>To campaign effectively, a mix of “insider” and “outsider” strategies are needed although the overall strategy of each NGO remains characterized predominately by one or the other. The conditions surrounding a campaign often determine which strategy is used.</p> <ul style="list-style-type: none"> • As more players become involved, cooperation becomes more complex, which can lead to conflicts; however, • Collaboration between different organizations can help move a campaign forward.
4. Legitimacy	<p>Legitimacy is essential for effective campaigning and for raising resources.</p> <ul style="list-style-type: none"> • All actors in a campaign, both NGOs and their targets, spend time and energy establishing and maintaining their legitimacy and contesting that of their opponents. • There may be competition between NGOs over funds. • Most NGOs draw from a variety of bases for legitimizing their campaign work; all are likely to be challenged by their opponents.

Variable (continued)	How variable contributes to NGO campaign effectiveness (continued)
5. Individuals and mobilizing people	<p>Specific individuals, who have a flair for motivating people and who have a combined social conscience and strategic vision, are crucial to the process at both the national and grassroots level.</p> <ul style="list-style-type: none"> • Individuals are important at the national level in getting an issue onto the agenda, and at the grassroots level in ensuring real change. • At a campaign's later stages, a few individuals are not sufficient; mobilizing people around a campaign issue is critical to achieving a greater impact on the national and grassroots levels. • To mobilize people over a length of time, they should be given an active role, recognition for their contributions, opportunities to develop their practical skills to allow concrete change, and recognition of successes along the way.
6. Narrow focus	<p>A narrow focus can be extremely effective in getting an issue formulated and in ensuring progress.</p> <ul style="list-style-type: none"> • Moves national and international campaigns forward, works as a communication tool, makes people distant from a situation feel that they can do something, and helps to identify a target. • A narrow focus does not necessarily hinder the widening of a campaign at a later stage. • However, a narrow focus can oversimplify and distract from a wider problem or deeper causes, it can target response too narrowly, it can make involvement in grassroots harder, and it can undermine civil society in nascent democracies.
7. Role of government and judiciary	<p>Governments, national law, and international conventions need to be involved to get legal frameworks in place, ensure the law is implemented, carry out large programmes for which NGOs cannot raise the necessary resources, change practice and attitudes in government-run institutions, and give permanency.</p> <ul style="list-style-type: none"> • Some cooperation with government is necessary if it is to support the aims of the campaign. • Some governments actively seek change.

Variable (continued)	How variable contributes to NGO campaign effectiveness (continued)
8. International context	<p>The international context of an NGO campaign can influence its effectiveness: collaboration between NGOs from different countries, international conventions, and coverage of an issue in the international media.</p> <ul style="list-style-type: none"> • Collaboration between Northern and Southern NGOs is useful in moving a campaign forward. • A campaign benefits greatly from experience and knowledge gained from similar campaigns in other countries. • International conventions are useful tools to press for change within countries. • International media can play a big role as international coverage can have more significance to some governments than does national media.
9. Implementation and monitoring	<p>The effectiveness of an NGO campaign is dependent on the implementation and monitoring of a policy.</p> <ul style="list-style-type: none"> • Achieving policy is not the end; organizations such as governments and corporations can renege on or ignore policies. • Work is needed to ensure that policies and laws are implemented. • International codes have to be constantly monitored and violations publicized.
10. Tools	<p>In addition to legislation and conventions, other tools are being developed, such as codes of conduct, labelling, and social auditing; these seem to be appropriate when either national legislation or international conventions do not exist, or are too weak, too broad or unspecific, or when it is problematic to implement them through the legal system or government.</p> <ul style="list-style-type: none"> • Disagreements may arise between NGOs with different ideas about which tools to use, in which arenas to use them, and about how they should be administered. • Opponents may try to use similar tools for their own ends.

Variable (continued)	How variable contributes to NGO campaign effectiveness (continued)
11. Work at the grassroots	<p>Grassroots involvement is essential to ensuring real and sustained change.</p> <ul style="list-style-type: none"> • Grassroots involvement aids in the setting of agendas, building campaign momentum, and ensuring real and sustained change. • Individuals and organizations at the grassroots level need to develop a sense of ownership over the NGO campaign. • Work at the grassroots level connects and contributes to other levels. • A link is shown between policy and project work. • Long-term work at the grassroots level is needed even after policy changes have been achieved (policy-to-practice).

CHAPTER 3: THE INTERNATIONAL CAMPAIGN TO BAN LANDMINES

In early December 1997, representatives of 122 states came to Ottawa to sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines (APMs) and on their Destruction (English 1998; Axworthy and Taylor 1998), which is otherwise known as the Ottawa Treaty, the Ottawa Convention or the Mine Ban Treaty (MBT).

The MBT is an example of how NGO campaigns can be effective in achieving a policy change (Axworthy 1997; Chretien 1997; Sjolander and de Larrinaga 1997; English 1998). It is also widely accepted amongst policy makers and NGOs that the Ottawa Process is an example of how Canadian foreign policy can be democratized for a specific issue and offers insights into how NGOs can lobby, influence, and cooperate with government departments and leaders to achieve an international policy change (Axworthy 1998; English 1998; Tomlin 1997). Thus, the MBT is an excellent case study for examining NGO effectiveness.

3.1 Origins of Anti-Landmine Campaign

The NGO campaign to ban landmines started in the early 1990s with the International Committee of the Red Cross (ICRC) trying to springboard landmines onto the global foreign policy agenda within the context of international humanitarian law (IHL) (English 1998; Grisdale 1999; Lynch 1999; Marslen 1998; Sjolander and de Larrinaga 1997). Stuart Maslen (1998), an ICRC analyst, states that IHL regulates the conduct of warfare and minimizes the suffering inflicted on civilians and combatants alike (81). However, there are differing viewpoints on the use of landmines as a military

weapon. Military officials argued that the military utility of landmines was more important than the humanitarian costs, which were vague in terms of statistics. For example, Robert G. Guard Jr. (1998) argued, “There [was] no formula or specific set of criteria on which to base a determination of the point at which the putative military utility of APMs is exceeded by the humanitarian costs of their employment” (138). Therefore, the initial members of the NGO campaign against landmines were faced with the task of taking a weapon of war that most militaries, including Canada, considered an “indispensable instrument of war” (Sjolander and de Larrinaga 1997, 40; see also Grisdale 1999) and re-contextualizing it in the framework of the humanitarian toll that they enact.

3.1.1 Evidence of a Landmines Epidemic

In the late 1980s, ICRC surgeons documented the scourge of landmine victims in Mozambique, Cambodia, Angola, Afghanistan and several other countries mired in internal conflicts. The ICRC surgeons began to keep track of the landmine victims in photographs and videos that showed how landmines killed and maimed their innocent victims (English 1998; Sjolander and de Larrinaga 1997; International Committee of the Red Cross 1995). For example, the joint 1991 publication, *Landmines in Cambodia: The Coward's War*, by Asia Watch and Physicians for Human Rights reported on the horror created by landmines in post-Khmer Rouge Cambodia. The main victims of landmines were argued to be farmers and other civilians trying to reclaim their lives in post-conflict areas. (Chabasse 1998, 60). In 1992, Physicians for Human Rights published, *Hidden Enemies: Landmines in Northern Somalia*, which also argued that the victims of

landmines are principally civilians, and they are often women and children (Physicians for Human Rights 1991). In 1992, the ICRC also published ‘powerful and shocking’ pictures of landmine victims in *Mines, a Perverse Use of Technology* (Maslen 1998, 84). The daily reality of living in “the field” exemplified the enormous human suffering caused by landmines and these reports brought this daily horror to the attention of global leaders (Maslen 1998).

These reports, in addition to the case evidence provided by the ICRC surgeons, showed that the indiscriminate nature of APMs resulted in civilians, including farmers, women, and children, as well as soldiers being subjected to an array of physical punishments: triggering a mine could result in the loss of a limb(s), disfiguration, various shrapnel related injuries, blindness, or death as a result of blood loss (International Committee to Ban Landmines; Sinclair 1999). The message was that mines are designed to maim, not kill (International Committee to Ban Landmines). Asia Watch and Physicians for Human Rights used their publication to call – for the first time – the five permanent members of the Security Council to press all warring parties to stop laying new mines (Sinclair 1999, 3). The photographic, anecdotal, medical, and statistical data collected by the surgeons helped provide the impetus for initiating a campaign against APMs. For example, *The Coward’s War* was sent to all French and Belgian legislators and to the European Parliament, and it motivated the President of the European Parliament and two Belgian senators to become involved in the issue (Chabasse 1998, 61). In 1990s, convinced by his staff the president of the ICRC, Cornelio Sommaruga, went beyond the traditional mandate of the ICRC to call for a “total ban on the production, export, and use of anti-personnel mines” (English 1998, 27; International

Committee of the Red Cross 1995, 667). In addition to the work being done at the international level, there was also work being done at the state-level.

3.2 The International Committee to Ban Landmines (ICBL)

In the early 1990s, additional support to ban landmines came from the United States (US). The Vietnam Veterans of America Foundation (VVAF), which had been created by anti-war activists, had close links with some Democratic Senators (Wareham 1998, 213) and some prominent musical artists like Emmylou Harris (the founder of the group of musicians who participated in the Concerts for a Mine Free World series), Bruce Springsteen, Bruce Cockburn, Sheryl Crow, and Willie Nelson, who also had links to Democrats (Vietnam Veterans of America Foundation). The VVAF is an influential NGO in terms of its links to American policymakers, and its associates used these political connections to get landmines onto the US foreign policy agenda. During a trip to Cambodia, ever-present amputees left a strong impression on Robert 'Bobby' Muller, the VVAF's president. Upon his return, Muller aggressively pursued the landmines issue and persuaded Senator Patrick Leahy of Vermont to first, set up a fund to aid mine victims and secondly, to introduce in the Senate legislation to ban American exports of landmines for one year (English 1998; Rutherford 2004). President George Bush Sr. agreed to the request and signed the bill on October 23, 1992; the amendment also called on the US to "seek veritable international agreements prohibiting the sale, transfer, or export, and further limiting the use, production, possession, and deployment of antipersonnel landmines" (Wareham 1998, 214). John English (1998) suggested that the American initiative raised hopes that there would be support for a complete ban in the US.

In order to build momentum for the anti-landmine movement, Muller linked his organisation (the VVAF) with the German group, Medico International, and in November 1991 hired a well-known NGO activist, Jody Williams, to organise the campaign. The campaign's formal organization occurred in the October of 1992 (International Campaign to Ban Landmines, Campaign history; Williams 1997), and by the end of that year the campaign became the International Committee to Ban Landmines (ICBL) (English 1998; Rutherford 2004). The other founding members of the ICBL were Handicap International (France), Human Rights Watch, Mines Advisory Group (United Kingdom), Physicians for Human Rights, Medico International, and the VVAF (International Campaign to Ban Landmines, Campaign history). The ICBL defined itself as "a flexible network of organizations that share common objectives" and its focus was the call "for an international ban on the use, production, stockpiling, and transfer of antipersonnel landmines, and for increased international resources for humanitarian mine clearance and mine victim assistance program" (International Campaign to Ban Landmines, Campaign history). In 1993, the original six organizations formed the Campaign Steering Committee (International Campaign to Ban Landmines, Keeping up With the Times). In addition, dozens of national campaigns were started and hundreds of organizations from around the world joined the campaign against landmines.

3.2.1 The ICBL's Activities

Under the unified call for the elimination of landmines, individual NGOs were free to engage groups or governments with their strategies of choice (Wapner 2004, 255). It is interesting that although public awareness campaigns were key strategies, the NGOs

were ultimately focussed on lobbying state-level policymakers. For example, in Europe, NGOs worked closely with a core group of small and medium-sized states who all had “a progressive stance on international aid and related security issues and were secure from threats to their borders”: Denmark, Norway, Austria, Belgium, and the Netherlands (Mingst and Warkentin 2000, 246). The NGO lobby for a complete ban was congruent with the states’ own policies (only Belgium was producing landmines at the time) (Mingst and Warkentin 2000, 246). Of the most influential European states, Germany was the first to join the ban movement, and although initially reluctant, the UK and France also joined (Long and Hindle 1998, 254). Both France and the UK took strong positions on mines only after new governments had been elected (Dolan and Hunt 1998; Mingst and Warkentin 2000).

In the United States, NGOs continued to push landmine policy towards a ban by lobbying and collaborating with policymakers. President Bill Clinton, in an address to the UN General Assembly in 1994, called for quick action to ban landmines. John English (1998) stated that Clinton’s State Department supported the ICBL with a report, *Hidden Killers: The Global Problem with Uncleared Landmines* (1993), which gave the widely-cited figure of 22 000 yearly victims of landmines (English 1998, 29; United States Department of State 1993, 2). The publication of *Hidden Killers: The Global Landmine Crisis* (1994) and *Hidden Killers: The Global Landmine Crisis* (1998) further pushed Clinton’s landmine agenda.

In Canada, the NGO coalition, Mines Action Canada (MAC), had been formed in March 1995 and had registered as a member of the ICBL (Tuttle and Warmingtton 1998). MAC disseminated information to the Canadian public and lobbied the Canadian

government. MAC sent a series of information packages on the anti-landmine campaign to all Members of Parliament (MPs) between June and August of 1995 (Tuttle and Warmington 1998). In addition, Canadian musicians Bruce Cockburn and Mozambican singer Chude Mondale went on tour across Canada to raise landmine awareness (Tuttle and Warmington 1998). Upon their return, Cockburn handed petitions demanding “meaningful action on landmines” signed by thousands of Canadians to Liberal MP Jane Stewart who was in support of a ban (Tuttle and Warmington 1998, 52). In addition to Stewart, “MPs Keith Martin, Svend Robinson, Bill Blakey, and others questioned Canada’s position on landmines daily” (Tuttle and Warmington 1998, 52).

In addition to targeting state-level policymakers, the ICBL made an effort to engage rebel groups, insurgents, and other non-governmental armed combatants (groups the ICBL recognized as a driving force behind landmine use) in discussions to persuade them that landmines, while seemingly useful in the short term, are damaging to an organization’s long-term goals (Wapner 2004).

These are a sampling of the hundreds of activities that NGOs of the ICBL used to advance their ban landmines agenda along its timeline. One NGO strategy that particularly represents the ICBL’s activities is the ICRC’s media campaign.

3.2.2 The ICRC’s Media Campaign to Ban Landmines

Having already positioned itself as a leader in the effort to ban landmines, the ICRC worked alongside and as a member of the ICBL. On November 22, 1995, Sommaruga launched the ICRC’s international media campaign to ban landmines with the declaration: “Landmines must be stopped ... in every hour which passes, three people

will be killed or crippled for life by these mines ... It can and must be ended” (International Committee of the Red Cross 1995, 667-668). Sommaruga was joined in his appeal by Archbishop Desmond Tutu and a group of Nobel Peace laureates including Mairead Maguire, Lech Walesa, Oscar Arias Sanchez, Elie Wiesel, the Dalai Lama, and Aung San Suu Kyi (International Committee of the Red Cross 1995, 667-668). Tutu emphasized that the “dictates of public conscience would be instrumental in finding a solution” to the landmines issue (Maresca and Maslen 2000, 404). Sommaruga (1995) stated that the ICRC, in response to the lack of political will that was being exercised to ban landmines, would make the campaign to ban landmines international through distributed print, television, and radio information (404).

The ICRC lobbied the international community with an educational anti-landmine campaign. The ICRC’s goal was to reinterpret landmines from being a legitimate weapon of war in the arsenals of sovereign states to an illegitimate enemy lying in wait for its human victims. The campaign’s goal was to stigmatize the production, stockpiling, and use of landmines, particularly before the sessions of the Review Conference of the UN Weapons Convention that took place in January and April of 1996 (Sjolander and de Larringa 1997, 40; International Committee of the Red Cross 1995, 668; Grisdale 1999).

One memorable international anti-landmine campaign was advertised on T-shirts, stickers and posters. It featured a simple drawing of a white flower growing out of a landmine with a red skull and crossbones printed on it: a human hand reaches for the flower. The copy says, “If you have survived the war, try to survive the peace,” a quote by Melisa Dzanovic, at the time a 14 year old survivor of the conflict in Bosnia and Herzegovina (Landmines Survivors Fund 2006; Canadian Landmine Foundation 2006).

Another well-publicized image from the educational campaign was a crudely drawn, chalk outline of a grimacing boy. He is balanced on his one remaining leg while holding out a pair of arms, one missing – on the same side as the missing leg – a hand and forearm (Landmines Survivors Fund).

During its media campaign, the ICRC used a quasi-official status to argue against the military use of landmines by publishing a series of reports showing that the military benefit was far outweighed by the tens of thousands of innocent civilians who were their victims (English 1998; Anderson 2000). The campaign had two major results: first, policymakers were shown that there was popular support for a ban on landmines, and second, the IHL argument was made dramatically clear (English 1998; Anderson 2000). Ultimately, the ICRC's media campaign helped set the UN's policy agenda for the forthcoming review of its landmines policies.

3.3 The UN Convention on Certain Conventional Weapons

Existing legislation around landmines was ineffective at preventing landmines from being manufactured or deployed. The UN Convention on Certain Conventional Weapons (CCW), of which the Second Protocol dealt with the 'Prohibitions or Restrictions on the Use of Mines, Booby-traps, and Other Devices' was established in 1980; it was the first treaty regulating conventional weapons since the 1920s (Mathews 2001, 996). The CCW was designed to be a dynamic treaty “with the facility to evolve in response to weapons developments and within a changing international climate” (Mathews 2001, 1009). However, Herby and Maslen (1998) argued that the protocol added little “to existing customary law governing weaponry and its provisions were all too often unknown or ignored by belligerents involved in later armed conflicts” (694). As

well, it was felt by NGOs such as the ICRC and Handicap International that in the negotiation of the Protocol military considerations had been given greater priority than humanitarian concerns (Mathews 2001, 996). The ICRC's Ryan Mathews (2001) argued that the CCW needed strengthening through "greater universality, measures to encourage and monitor adherence to its provisions (including compliance-monitoring procedures), extended scope (to include internal armed conflict), and coverage of other weapons by specific protocols" (1009). For Handicap International, the Protocol II of the CCW represented a compromise between humanitarian concerns and military needs. This implicitly admitted the use of landmines, which Handicap International and the ICRC considered illegal under international law (Handicap International 2001, 6).

Handicap International convinced the French government to call upon the UN Secretary-General to convene a conference to review the 1980 CCW Protocol II that applied to landmines. Four meetings of governmental experts were held to prepare for the Review Conference of the CCW (Dolan and Hunt 1998; Maresca and Maslen 2000). The ICRC was invited to prepare a report outlining what it felt states needed to address within the CCW framework (Maresca and Maslen 2000, 266). During the final meetings, the ICRC made the following significant proposals: a prohibition on the use of anti-personnel mines; a ban on the manufacture, stockpiling and transfer of anti-personnel mines and non-detectable anti-vehicle mines; an obligation to destroy stockpiles; and a requirement upon parties to a conflict to take certain action for the safety of humanitarian workers and activities (Maresca and Maslen 2000, 266). Past Secretary General of the United Nations, Boutros Boutros-Ghali (1994), stated that although landmines began as a military tool, they had become "an ongoing humanitarian disaster" (8). Therefore, NGOs used

evidence of human casualties to urge governments to change their policy positions on landmines.

3.4 The CCW Review Conference of 1996

The CCW Review discussions began in Vienna in September 1995 and dragged on for over a year (English 1998; Long and Hindle 1997). Jill Sinclair, a Canadian government official in the Ministry of Foreign Affairs who specializes in disarmament issues stated in an interview with Debbie Grisdale (1999) that the CCW review meetings were intended to strengthen the guidelines for how to use landmines responsibly, “as long as you could mark and map them, and clean up after laying them” (par. 6). According to Sinclair, Canada wanted the CCW rules to apply in internal conflicts as well as international ones, but “Non-Aligned countries didn’t like that” (Grisdale 1999, par. 6). There were also disputes over time frames, and governments believed that technologically improved mines that could self-destruct or self-neutralize were a solution (Grisdale 1999).

The ICRC, as an expert observer participant, argued strongly for a complete ban as did the ICBL advocates. Sinclair states, “[NGOs] told delegates, ‘You are addressing the wrong issue . . . Whatever you do about strengthening the CCW is not going to deal with the humanitarian crisis’” (Grisdale 1999, par. 7). In order to help shift the governments’ thinking, Sinclair reported that the NGOs set up booths, fake minefields, and talked to delegates as they came out of meetings. The CCW, on Canada’s recommendation, suspended the meetings to see if they could reconvene at a later date and possibly make more significant progress (Grisdale 1999). The ICRC blamed the failure of the meetings to achieve a consensus on the “overtly technical nature of many of

the proposals” and an “unwillingness on the part of many States to place significant limits on landmines” to achieve the Conference’s humanitarian goals (Maresca and Maslen 2000, 394).

About a month after the CCW Review Conference had ended, Foreign Affairs Minister, Andre Ouellet, made an offhand comment about being in favour of the total elimination of landmines (Grisdale 1999); his speech was captured by the *Toronto Star*’s Allan Thompson and published (Grisdale 1999). The NGO campaign, in turn, used the publication of Ouellet’s speech to put pressure onto the Canadian government to shift its foreign policy agenda towards taking a leadership role in the campaign to ban landmines (Grisdale 1999). The ICBL felt that state-level leadership could move the campaign forward, and in 1996 Canada’s foreign policy position on landmines shifted.

3.5 Landmines and CFP

Andre Ouellet had been working on changing Canada’s foreign policy position on landmines before the CCW Review Conference. In fact, Ouellet initially championed the landmines issue in 1995 when he addressed Parliament saying: “[Landmines] should be banned not only from Canada but everywhere in the world” (Tomlin 1998, 8). However, his remarks were not received favourably by David Collenette, the Canadian Defence Minister, who responded with the “standard Department of National Defense (DND) argument that land mines could not be eliminated until effective and humane alternatives were found” (Tomlin 1998, 8). Ouellet, encouraged by his Senior Policy Advisor, Michael Pearson, proposed to Collenette that Canada destroy its stocks of mines as a way

of taking a lead on the issue (Tomlin 1998); however, Ouellet had no success, and thus changed tactics.

Furthermore, in early 1995, the US asked Canada to co-sponsor a resolution to the UN First Committee calling for a moratorium on the export of mines (Tomlin 1998). Earlier, the United Nations (UN) Secretary General had accidentally included Canada on a list citing states that adhered to an export moratorium on landmines (Tomlin 1998; English 1998). Canada had not signed a landmines treaty, but Ouellet used the situation to urge Collenette to at least meet the commitments outlined in the Secretary General's report (Tomlin 1998). However, Collenette was advised to reject Ouellet's proposal as it was felt by DND officials that the Department of Foreign Affairs and International Trade (DFAIT) was trying to give them "the thin edge of the wedge" in an effort to control weapon's policy (Tomlin 1998, 8).

Ouellet was running out of patience with Collenette. Upon returning from the CCW conference in Vienna in September 1995, Ouellet wrote a letter to Collenette stating that he intended to announce a Canadian moratorium on exports of landmines, that he wanted to co-sponsor the resolution in the US, and that he wanted to declare Canada's commitment to the eventual total elimination of landmines (Tomlin 1997). On November 12, 1995, Collenette reluctantly agreed to an export moratorium on APMs, but insisted on behalf of the DND that it was as far as policy changes would go. Collenette had little choice but to give in; English argued that "[DND] agreed that the embarrassment of pointing out the UN error was unthinkable and, reluctantly, consented to an export ban" (Tomlin 1997, 30),

Canada was officially committed to an export moratorium, but Ouellet wanted to pursue a complete ban on landmines. On November 9, 1995, Ouellet told a Canadian Broadcast Corporation (CBC) reporter “Canada should destroy its stockpile of landmines and declare a total ban on the production, export, and use of the weapons” (Tomlin 1997, 9). Later in the month, DND agreed, in principle, to a comprehensive Canadian moratorium on the export as well as on the production and use of APMs, and on January 16, 1996 DFAIT was able to announce the comprehensive moratorium plus support for a complete ban on the production, transfer and use of landmines (Tomlin 1997,10). Tomlin (1997) argued that the policy “window” had opened and the landmines issue was now entrenched on the Canadian government’s agenda (10).

At the end of January 1996, Andre Ouellet retired and was replaced by Lloyd Axworthy as Foreign Affairs Minister (English 1998). Ouellet’s Senior Policy Advisor, Michael Pearson stayed on through the transition, and provided “important continuity on land mines” (Tomlin 1997, 11). Thus Canada had a new Minister of Foreign Affairs, a desire to enter into suitable foreign policy initiatives, and a recent history of being in a public position against landmines. “Axworthy, guided by Pearson and seeing an opportunity to run with an issue, picked landmines as an immediate priority” (Tomlin 1997, 11). Axworthy asked the Non-proliferation, Arms Control and Disarmament Division (IDA) to extend the moratorium and pressed DND to agree to destroy Canada’s stockpile of mines (Tomlin 1997).

By March 1996, IDA had drafted a Canadian Action Plan to Reduce the Global Use of Landmines that offered two ideas on how Canada could proceed with its landmine agenda. The first idea was for Canada to continue to participate in the CCW Review

Conference; however, it was felt by the Canadians that it would not result in any new policy changes (Tomlin 1997). The second idea was for Canada to host an international meeting of officials and NGOs to develop an action plan to work on landmines. This second route, which became known as the Ottawa Process, was chosen. (English 1998).

3.6 The Ottawa Process

The Ottawa Process was the series of events that lead to the signing of the Ottawa Treaty. It had three key features: first, civil society and government formed a partnership to pursue a common policy objective; second, small and middle powers played leading roles; and third, it unfolded with unprecedented speed (Foreign Affairs and International Trade Canada 2000). In fact, the Ottawa Process was started in late 1996 and completed with the signing of the Ottawa Treaty at the Ottawa conference in December of 1997. The following events lead to the start of the Ottawa Process.

The UN's CCW's was unable to move the land mine issue forward. CCW produced the Amended Protocol II, which was the product of the lowest common denominator approach, itself the product of consensus, which proved that the officials were deadlocked (Short 1997). The ICRC declared that the restrictions in the amended protocol were inadequate and difficult to put into practice. The ICBL said only a total ban would have the simplicity to be effective. (English 1998; Williams 2000)

On the evening of April 22, 1996, members of the ICBL met at the home of Quaker activist David Atwood in Geneva, Switzerland (Dolan and Hunt 1998; English 1998; Grisdale 1999). Members of NGOs as well as representatives of twelve states including Austria, Australia, Belgium, Canada, Norway, New Zealand, Mexico, Ireland and Peru were at this meeting (Grisdale 1999). Canada's delegate was Bob Lawson

(Grisdale 1999). Alternative courses of action were discussed, one being to hold another international conference (English 1998; Grisdale 1999). The idea to hold a conference was in line with what IDA had recommended, and after further discussion it had by April grown to include a Canadian-sponsored UN resolution on landmines. Sinclair told Grisdale that “At least we [could] offer to host a meeting where those countries can sit down with NGOs and the ICRC and muse about the possibilities of an eventual ban and how to get from here to there” (Grisdale 1999). The Ottawa Process, the series of events that lead to the signing of the Ottawa Treaty, was thus started.

The proposed meeting was named the “International Land Mine Strategy Session” and was instrumental at converting the January moratorium into a complete ban on the production, transfer, and use of APMs (Tomlin 1998, 13). IDA officer, Bob Lawson, who had earlier helped facilitate landmines jumping from DND to DFAIT, was given the go-ahead by Jill Sinclair, then the director of IDA, to announce that Canada would host the October meeting in Ottawa (Tomlin 1998, 12; Wareham 1998, 226). Moreover, in response to the Amended Protocol being adopted on May 03, 1996, Canadian Ambassador Mark Moher announced that Canada would hold a strategy conference of states that would support a total ban in Ottawa later that year (Dolan and Hunt 1998; English 1998).

The ICBL and the Canadian government were wary that there would be officials in attendance that could potentially hamper the policy process. As a result, all states would be invited, but a process of self-selection was designed by the organizers to prevent opponents from sabotaging the agreement. A Final Declaration was circulated prior to the conference: “Those who could sign on were invited as participants; those who

would not come as observers” (English 1998, 18). Tomlin (1998) argues that the self-selection process worked “like magic,” and thus the self-selection device was critically important for the success of the Ottawa Process (English 1998, 18).

The ICBL and Canada encouraged US endorsement of the conference and of the new APM policy. Although President Bill Clinton was initially supportive of a ban on landmines, the US wanted significant changes to the proposed policy. Rather than support an outright ban on APMs, the US wanted to remove language referring to “zero by 2000” which meant that there were to be no new mine deployments by the year 2000 (Wareham 1998, 36). Nevertheless, Thomas McNamara, the United States’ delegate, attended the sessions as a full participant (Wareham 1998).

Tomlin (1998) argues that the US was concerned about Canada’s intention to work with NGOs at the Ottawa conference (13). Axworthy saw a unique relationship developing between the Government and NGOs with the landmines issue: “He noted the prominent role played by NGOs on the issue and ... indicated his interest in a partnership which would link NGO efforts with Canada’s ability to champion the issue internationally” (Tomlin 1998, 11). Ultimately, when Axworthy announced his intention for Canada to hold a Ottawa Treaty-signing conference, most delegates “were shocked and amazed,” but the US delegates, many who had left the morning of the declaration, were angry (Wareham 1998, 227). The Americans issued a statement that expressed their displeasure with Axworthy’s surprise statement, and Wareham (1998) argues that there was every indication that the U.S. would pursue its landmines agenda in the Conference on Disarmament rather than participate in the Ottawa Treaty (227).

IDA officials and ICBL representatives worked together on drafting the invitation list to the Ottawa conference. The ICBL was extremely useful because they linked DFAIT with the existing anti-mine movement. A group of core partners consisting of ban-friendly states worked closely with the ICRC and the ICBL to rally support for the ban, and this also facilitated participation in the policy process that took place between Ottawa 1996 to Ottawa 1997 (English 1998). However, when the US announced that they intended to pursue the landmine ban in the Conference of Disarmament (CD) or in an arena that would only allow a policy change based on consensus, it initially appeared that there would only be a number of smaller states willing to sign the treaty. None of the permanent members of the Security Council supported the Ottawa Process; Australia's position was similar to that of the US, and most European nations were opting out.

In an effort to drum up support, the ICRC undertook facilitating a series of regional conferences "which brought together ICBL representatives, representatives of governments and military experts to talk about what to do about landmines" (Dolan and Hunt 1998; English 2000: the source of the direct quotation). The ICBL maintained its pressure on governments to commit to ban on landmines. Having commissioned another study on the military utility of APMs, the ICRC declared that "landmines had little military utility and that the humanitarian consequences of the use of landmines far outweighed that utility," and the findings were supported by the authoritative voices of several military officials (English 2000, 31). Political shifts in Britain (to the Labour Party) and in France (with a Socialist government) resulted in dramatic shifts in their APM policy, and this meant that the Security Council was no longer united in opposition (Desch et al. 1998; English 1998). Lady Diana, Princess of Wales had also been on the

front pages of newspapers and in television clips for her trips to Angola and Bosnia, and her tragic death at the end of the summer of 1996 was a “powerful force” in the promoting of a ban in policy circles (English 1998; Herby and Maslen 1998; Rutherford and White 1998). The Ottawa strategy sessions that took place on October 3, 1996 were attended by 50 governments and 24 observer governments, all of whom had pledged to support the ban. The ICBL, the ICRC, various UN agencies, and many NGO representatives were also in attendance (Tomlin 1998).

3.7 Problems Encountered and Overcome During the Ottawa Process

The Ottawa Process encountered a series of state-level problems as many states still felt that an outright ban was foolhardy (Tomlin 1998). A number of mine-producing countries, including the US, China, Iran and North and South Korea were opposed or not willing to agree to ban. As well, Canada was accused of “grandstanding,” and some critiques felt there was a chance that the treaty could fail (Tomlin 1998, 20). Patrick Leahy (1997) stated that United States’ President Bill Clinton said he could not sign the treaty although new deadlines would be set for ending US use of anti-personnel mines except those that are mixed with anti-tank mines. The US’s decision to opt out of the treaty was an especially bitter pill for the treaty organizers.

The US’s unwillingness to commit to a ban did not seem to hurt the policy process. In a surprise announcement, Russian President Boris Yeltsin announced his intention for Russia to sign the Convention although at some later date (Short 1997). Some unexpected states, like Australia and Japan, announced that they would attend the conference in Ottawa with an intention to sign the Ottawa Treaty. In fact, 74 states, rather than the expected 15 attended (Cameron 1998, 437). Latin America and Africa were

already strong-supporters of the proposed plan, and they agreed that the regions should be united in the goal to ban APMs. Core partners offered support for states that wanted to attend the conference but had financial constraints. By the end of November 1997, there were over 100 states intending to sign the treaty, and there were thousands of NGO representatives and journalists planning to attend (English 2000).

3.8 The Ottawa Treaty

The Ottawa Treaty came to fruition in early December 1997 when representatives from 122 states came to Ottawa to sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. In Canada, the House of Commons, which is usually noted for its bitter divisions over foreign policy decisions, ratified the landmines treaty without a dissenting vote (English 2000). At its conclusion, the Ottawa Treaty was celebrated as a success for the Canadian government (as well as for many other signatories) and for the ICBL. The Canadian government achieved a leadership role in the making of an international treaty that represented an important humanitarian issue. The ICBL and its member NGOs were given a partnership role in the making of the Ottawa Treaty. Although there were important countries like the US that did not sign the Ottawa Treaty, both the Canadian government and the ICBL NGOs achieved their desired policy outcome.

3.9 ICBL Summary

An international ban on APMs represented a shift towards a new way of framing security ideology. The Ottawa Treaty went beyond traditional arms control as it obliged states to destroy their stores of APMs, and it asked states to participate in the care,

rehabilitation, and social and economic reintegration of mine victims (Beier and Crosby 1998). The Convention was rooted in humanitarian law but also contained elements of disarmament law (Desch et al. 1998). Furthermore, the Ottawa Treaty is the result of concerted cooperative efforts of NGOs worldwide, which resulted in the ICBL rallying public opinion and building successful working relationships with policy makers (English 1998; Cameron 1998, Axworthy 1998). Public opinion polls that were carried out in several nations in 1996 revealed that, “support for a total ban was present in every country with most populations offering over 75 percent support” (English 1998, 131). The success of the Ottawa Treaty was in large part due to the effectiveness of the ICBL.

The ICBL was effective in achieving its desired outcome for a number of reasons. First, it was effective at getting the landmines issue onto the international foreign policy agenda. Second, it was successful in generating broad-based grassroots support, which contributed to public pressure onto state-level governments. Third, the ICBL experienced a fruitful relationship with the Canadian government, which ultimately led to the Ottawa Process and eventually the Ottawa Treaty. The ICBL was especially effective in influencing Canadian foreign policy on landmines due to its success in partnering with officials in DFAIT.

Some of the MBT’s key actors included the Canadian and US governments, the International Committee to Ban Landmines and its Steering Committee members, the International Committee of the Red Cross, Jody Williams, Andre Ouellet, Lloyd Axworthy, Bill Clinton, Princess Diana, and Comelio Sommaruga. In fact, the landmine awareness campaigns, the formation and work of the ICBL, the creation of a policy agenda for landmines, the Ottawa Process, and the Ottawa Treaty are examples of NGOs

cooperating with each other and with government officials in order to facilitate an international policy change. The campaign to ban landmines holds lessons on how NGO campaigns can be effective in reaching desired policy objectives.

4.0 Analyzing the Campaign to Ban Landmines Against Chapman and Fisher's Taxonomy

In the following chart, the NGO campaign to ban landmines is analyzed against Chapman and Fisher's taxonomy. The story of the NGO campaign to ban landmines is data-mined for evidence that supports Chapman and Fisher's variables of NGO effectiveness. The reader may wish to refer to the template on pages 20-23.

Table 3.1 Comparing the Campaign to Ban Landmines to Chapman and Fisher's Taxonomy

Variables	How does the variable contribute to the International Campaign to Ban Landmines' effectiveness in achieving a policy change?
1.Timeline	<ul style="list-style-type: none"> • Campaigning over two decades led to the formation of the ICBL, the Ottawa Process, and in 1997 the signing of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Mine Ban Treaty, MBT). • The ICBL's story was and is not linear; its beginning is somewhat unclear and it has not yet disbanded. • The ICBL worked simultaneously at different stages (timeline), different levels (e.g. international and national), and in different locations. • There was a cumulative effect of campaigning over time.
2.Concurrent work	<ul style="list-style-type: none"> • The ICBL was conducted at many different levels (grassroots, national, international) and, within these, in different arenas (UN, national governments, international conventions).

	<ul style="list-style-type: none"> • The Canadian foreign policy arena facilitated the policy process. • Concurrent work helped bring about the MBT, and continues to help monitor and implement the Treaty. <ul style="list-style-type: none"> ○ Example 1: The ICBL works with de-mining groups to facilitate the removal of existing mines. ○ Example 2: The ICBL has targeted non-state armed groups to broaden the campaign. • Note: these examples are explained in Chapter 5
3.Collaboration	<ul style="list-style-type: none"> • A mix of “insider” and “outsider” strategies were employed. <ul style="list-style-type: none"> ○ Insider = NGO-CFP working relationship cited in the literature ○ Outsider = ICBL lobbied governments and governmental departments • Organizational structure = pyramid + wheel <ul style="list-style-type: none"> ○ The coordinating secretariat sends information vertically, but various levels of the ICBL coordinate independently • As more players became involved, cooperation became more complex (de-mining groups saw funds better spent on de-mining activities; national governments competed to facilitate the MBT), but collaboration between NGOs and between NGOs and states helped move the campaign forward.
4.Legitimacy	<ul style="list-style-type: none"> • ICBL brought legitimacy with its international experience and its expertise on the landmine issue. <ul style="list-style-type: none"> ○ Resulted in the ICBL entering into a working relationship with the Canadian government. ○ Resulted in a broad movement supported in principal by civil society.
5.Individuals and mobilizing people	<p>Specific individuals who had a flair for motivating people and who had a combined social conscience and strategic vision contributed to the landmines ban agenda moving forward.</p>

	<p>At the national level, individuals like Andre Ouellet, Lloyd Axworthy, Jean Chretien and many Ngo leaders like Jody Williams helped set the international landmines agenda.</p> <p>Other individuals like Cornelio Sommaruga, Boutras Boutras Ghali, Pope Jean Paul, the Dalai Lama, and Princess Diana helped to mobilize people around the campaign issue.</p> <ul style="list-style-type: none"> ○ The ICBL mobilized people around the world in support of the landmines ban. Individuals and grassroots NGOs were given active roles. ○ Grassroots play an active role in the implementation and monitoring of the MBT.
6.Narrow focus	<ul style="list-style-type: none"> • Narrow focus = international ban on the use, stockpiling, production and transfer of Anti-Personnel Mines • Campaign has broadened to tackle other weapons (ex. cluster munitions). <ul style="list-style-type: none"> • Note: This will be discussed in Chapter 5
7.Role of government and judiciary	<ul style="list-style-type: none"> • Governments = Canada facilitated the Ottawa Process; ICBL cooperated with the Canadian government which actively pursued a policy change. • National law = 122 countries initially signed the MBT • International conventions = human rights codes; MBT
8.International context	<ul style="list-style-type: none"> • The international context of the ICBL influenced its effectiveness: collaboration between NGOs from different countries, international conventions, and coverage of an issue in the international media. <ul style="list-style-type: none"> ○ The ICBL collaborated with Northern and Southern NGOs. ○ The ICBL benefited greatly from the work done by the ICRC. ○ The ICBL employed an international mines awareness campaign.

9.Implementati on and monitoring	<ul style="list-style-type: none"> • The ICBL continues to monitor the MBT at the international, national, and grassroots levels. • The ICBL actively works to expand, improve, and broaden the MBT.
10.Tools	<ul style="list-style-type: none"> • Codes of conduct = the MBT established an international code of conduct for APMs. APMs were labelled as inhumane and illegal; countries that do not abide by the MBT are publicized. • Labelling = Does not apply. • Social auditing = Mine awareness programs run at the grassroots level through the ICBL, the ICRC, and other affiliated NGOs. • Disagreements occurred at various stages of the campaign most significantly in the CCW Review Conference and in context to the United State's decision to not sign the Ottawa Treaty.
11. Work at the grassroots	<ul style="list-style-type: none"> • Grassroots involvement is essential to ensuring real and sustained change. <ul style="list-style-type: none"> ○ Grassroots is responsible for the monitoring of the MBT. • A direct link is shown between the MBT and project work in local communities. • Campaigning and advocacy work is very valuable, but its effect is limited unless governments enforce the MBT.

In summary, all eleven of Chapman and Fisher's variables for NGO effectiveness are evident in the story of how the ICBL achieved a policy change. It is interesting that the ICBL had a positive working relationship with some governments, yet its campaign needed a combination of variables to reach its objective of a policy change. For example, the ICBL was effective in developing a working relationship with Canadian foreign

policymakers, which helped to facilitate the process that led to the MBT. Nevertheless, the ICBL had to be effective in lobbying a multitude of other state policymakers to make the Ottawa Process useful. In other words, being effective in lobbying one country can help to move a campaign along its timeline, but an effective NGO campaign must be effective in the international arena in order to facilitate a policy change. Ultimately, the taxonomy's variables prove to be consistent with the variables that contributed to the ICBL's effectiveness. These results will be compared to the results of the analysis of the campaign to stop the MAI in Chapter 5.

In the next section, the story of the Multilateral Agreement on Investment (MAI) and the NGO campaign to stop it is told and then compared to Chapman and Fisher's taxonomy for NGO effectiveness.

CHAPTER 4: THE MULTILATERAL AGREEMENT ON INVESTMENT (MAI)

4.1 Introduction to the International NGO Campaign to Block the MAI

On December 3, 1998, the Organization for Economic Cooperation and Development (OECD) announced that talks on the MAI had been halted permanently. A combination of factors, one of which was the international NGO campaign, contributed to the failure of the MAI negotiations. As a consequence, the international NGO campaign against the MAI is cited as an example of how NGO campaigns can be effective in achieving an international policy change (Kobrin 1998; Sjolander and de Larrinaga 2000; Smythe 2001; Laxer 2003).

In this chapter, it will be shown how and why the international NGO campaign against the MAI was effective at achieving an international policy change in respect to its contribution to the failure of the MAI negotiations. In addition, other issues will be shown to have contributed to the failure of MAI negotiations: the OECD, the inability for the negotiators to come to a consensus, and the decision to keep the negotiations private. This chapter will also show that the international campaign against the MAI was effective in influencing Canadian foreign policy on the MAI. The NGO campaign's effect on Canadian negotiators is woven into the chronology of the MAI negotiations. It will be shown that the use of e-mail, the World Wide Web, information sharing techniques, public awareness campaigns, and direct lobby efforts contributed to state-level governments – like that of Canada – choosing to end the MAI negotiations.

4.2 Origins

The MAI was intended to act as an international policy for economic globalization and increased international investment opportunities, “a binding agreement within a like-minded group of wealthier economies” (Smythe 2001, 154). American business elites led policy discussions on the idea for an international investment deal from the early 1980s into the late 1990s (Wood 2000, 34). The international business community (which was dominated by North American and European interests) had been working with state-level policy makers in the US and Europe in a series of General Agreement of Tariffs and Trade rounds since the end of World War II (Walter 2001). It recognized that the international economy had become truly globalized, and liberal economic principles were being further institutionalized (Mingst and Warkentin 2000). A fear that the politicization of international commercial negotiations would threaten international economic liberalization resulted in the start of first negotiations for an international investment agreement.

The first international investment policy discussions began in the General Agreement on Tariffs and Trade (GATT) (later the WTO) Uruguay Round negotiations in the mid-1980s. However, most major OECD countries and business lobbyists were unhappy with Uruguay Round negotiations in the areas of trade-related investment measures (TRIMs) and trade in services (GATS, General Agreement on Trade and Services)¹ (Organization for Economic Cooperation and Development 1995). The broad, overlapping business coalition, specifically the US Council for International Business

(USCIB)², had a significant influence over the US investment rules strategy, and this was one factor behind the US preference for negotiation of the MAI within the OECD (Walter 2001). As a result of support from the US government, a broad business coalition led by the USCIB moved the international investment policy meetings to the OECD. As a consequence, OECD country delegates were joined by the international business community, and negotiations commenced.

The intention of the USCIB, and in turn the US government, was to negotiate a broad, enforceable multilateral agreement on investment that would be free standing and open to accession once completed (Mingst & Warkentin 2000, 241). In the initial OECD negotiations, three basic principles were drafted: (1) non-discriminatory treatment for investments, with limited and specified exceptions; (2) high standard investor protection, including clear limits to expropriation, a right to due legal process and compensation in such an event, and the right of investors to impartial international arbitration in the event of a dispute with a host government; and (3) full operating freedom for investors, including the right to all investment-related financial transfers, prohibitions from the imposition of performance requirements, and the right to transfer managerial personnel (Walter 2001, 60). National treatment and most-favoured-nation (MFN) obligations were at the core of the transnational corporations' (TNC) principles (Kobrin 1998).

International business groups from other major OECD countries agreed in general with the principles of the US-corporate agenda, but there was opposition. The different attitudes of business lobbies were "reflected in the corresponding government positions in the preliminary negotiations that followed" (Walter 2001, 60). For example, the

² The USCIB is the US affiliate of the International Chamber of Commerce (ICC) and represents the US corporate sector in the Business and Industry Advisory Council (BIAC) at the OECD.

European business lobby was hesitant about negotiating the MAI in the OECD as it preferred the WTO, and Japan's Keidanran business organization was concerned that outlawing policy practices would not encourage developing countries to adhere to the MAI (Walter 2001, 60). At the state-level, Sir Leon Brittan, the European Trade Commissioner, believed that the WTO would be a better venue for engaging developing countries (Walter 2001). The Japanese government also did not support the US position on the grounds that it preferred the WTO, which they felt would be more inclusive, over the OECD (Walter 2001).

The US negotiating team (government and TNC representatives), however, were firm in the belief that the OECD forum was a narrower, more sympathetic, and appropriate venue than the WTO (Walter 2001). OECD members represented 85 percent of all foreign direct investment (FDI) outflows and 447 of the Global Fortune 500 corporations (Walter 2001). Overall, it was felt a better agreement could be negotiated in OECD's corporate-friendly forum (Clarke and Barlow 1997, 27; Kobrin 1998, 100). US negotiators insisted that the principles outlined above be followed. They argued that the principles already existed in the US Model Bilateral Investment Treaties (BITs) and the North American Free Trade Agreement's (NAFTA) Chapter 11; thus watering down the principles was unacceptable (Walter 2001, 61). Ultimately, the US won the argument over the international forum in which to house the negotiations and thus the OECD became the chosen venue.

In May 1995, the OECD Committee on International Investment and Multinational Enterprises (CIME) and the OECD Committee on Capital Movements and Invisible Transactions (CMIT) presented their case for a multilateral agreement on

investment to the OECD Council meeting at Ministerial level (Organization for Economic Cooperation and Development 2007). They stated that they were convinced that the time was right and that the foundations had been laid for the successful negotiation of an investment agreement that could build on “the OECD’s existing instruments and expertise” (Organization for Economic Cooperation and Development 2007). In addition, dramatic growth and change in foreign direct investment (FDI) was being hampered by investment barriers, discriminatory treatment and uncertainties (Roberts 1998, 24). OECD governments and members of the international business community wanted a framework that would better deal with investment opportunities and challenges (Roberts 1998, 24). Moreover, CIME and CMIT argued further that the new investment framework was important for setting “high standards and a balanced and equitable framework for dealing with investment issues” which could in turn strengthen the existing multilateral trading regime (Organization for Economic Cooperation and Development 2007). Consequently, the OECD members expressed concerns that remaining investment restrictions were a barrier to free market access.

In response to the mandate of the June 1995 OECD meeting, the policy process for the MAI was started: “the meeting of the OECD Council at Ministerial level now adopt the mandate for negotiating a multilateral agreement on investment ” (Organization for Economic Cooperation and Development 2007). It was agreed that one of the key intents of the MAI was to “establish a level of investment liberalization” that could attract larger developing countries in Latin America and Asia (Smythe 2001, 154). Conversely, the mandate for negotiating the MAI also included the recognition that there were areas of disagreement that needed to be addressed, but the objective was to conclude the

agreement by the time of the Ministerial meeting in 1997 (Mingst and Warkentin 2000, 241). Having learned from the fierce debates swirling around NAFTA and WTO, OECD decided to not publically announce the start of the MAI talks. When the MAI talks began in 1995 in the OECD in Paris, France, the OECD countries were keen to see their economies expand, and were even keener to see to it that they had a certain level of control over how the investment deal would be created and employed.

4.3 The MAI Negotiations

MAI delegates were primarily representatives of Trade Ministries and transnational corporations. Sergio Marchi, the Canadian Minister of Trade, led Team Canada's contingent at the MAI talks in Paris. The US administration sent a delegation consisting of members of the US Council for International Business (USCIB), Office of the US Trade Representative, and the US Department of the State. The other OECD member states sent delegations consisting of candidates in similar governmental leadership roles. In addition, some elite corporate leaders – from the USCIB, for example – were included in the early stages of the MAI negotiations (Walter 2001, 61; Organization for Economic Cooperation and Development 2000). In addition to the USCIB, members from the Business and Industry Advisory Council's (BIAC) MAI experts group used its influence in the International Chamber of Commerce (ICC) to coordinate an international corporate lobby. TNCs continued to enjoy a privileged relationship with the OECD membership. The narrow MAI negotiating team – the OECD member state negotiators and the TNC representatives – agreed to have the MAI fast-tracked and ready to sign in 1997, two years after the first meeting.

4.3.1 Initial Planning

The MAI negotiations initially went well (Mingst and Warkentin 2000, 242). The 1995 Paris negotiations were attended by all 29³ members of OECD plus the European Commission and later a few non-OECD states joined the negotiations.

On the outset, negotiators also agreed that once a firm deal had been signed, it was to be taken to the WTO where an accession clause similar to NAFTA's would promote the signing of non-OECD states. Countries would be allowed to join the agreement on a negotiated, case-by-case basis (Smythe 2001, 154). It was also agreed that the deal would punish investment regulations and protect foreign investment (Smythe 2001, 154). Finally, as negotiations on the broad principles of trade liberalization gave way to more specific provisions, the MAI talks slowed, but still produced a rough consensus by January 1997 (Mingst and Warkentin 2000, 243).

4.3.2 Process

The 1997 agreement included the three main policy areas (as noted in section 4.2) that the US business lobby had drafted two years prior: investment protection, investment liberalization, and binding dispute resolution (Bray 1998; Martin and Varney 2000). The underlying principle of investment was to be non-discrimination: "government signatories were to commit themselves to treatment of foreign investors and their investments no less favourably than they treat their own investors" (Drohan 1998). As well, signatories were to adhere to the policy's terms for a minimum of five years, and "even if a country decided to withdraw, foreign investors who had entered the country

³ There are now 30 OECD members.

while the MAI was in force would continue to enjoy its privileges for a minimum of 15 years” (Bray 1998).

However, even though a draft agreement had been tabled, the OECD member negotiating group had become discontent with the process, especially “with the role of the OECD secretariat and the chair of the negotiating group in putting forward draft texts that were not considered by some members to represent a consensus” (Smythe 2001, 154). No government, for instance, was willing to undermine its autonomy on taxation matters. As well, the French and Canadian governments demanded that their cultural industries be left out of the agreement; this was unacceptable to the US corporate negotiators (Walter 2001). In addition to the problems that had begun between corporate and governmental negotiators, political divisions emerged in March and April as member states lodged their reservations to the obligations of the draft text (Smythe 2001).

At the same time as internal problems that were hampering the MAI draft negotiations, NGOs began a general campaign against the negotiation of a multilateral agreement in investment. In late January 1997, a 170 page (90 percent complete) draft text of the MAI was leaked to Public Citizen, a US-based public interest group founded by Ralph Nader (Mingst and Warkentin 2000, 240; Wood 2000, 32). Within hours, the draft was spread throughout the NGO community and, in turn, throughout the world (Public Citizen 1999). As a result, the issues that had been causing problems within the private OECD negotiations became matters for public discourse.

4.4 The International NGO Campaign Against the MAI

Upon release of the MAI draft text, NGOs expressed a number of concerns. First, NGOs pointed attention to the draft text as proof of a secretive process that threatened democracy, sovereignty, and citizen's rights because the MAI would have been binding and would have been undertaken with no public consultation (Barlow and Clarke 1997; Martin and Varney 2000; Smythe 2001). In addition, NGOs were opposed to the MAI's broad definition of investors, investment, and the benefits of investment, essentially the MAI's key policies designed to remove barriers to international investment. Others pointed out that the MAI threatened democracy because it was to include all levels of government and it had no reservations for culture or the environment. Finally, NGOs were opposed to potential rollbacks on environmental or labour laws, and it seemed outrageous that countries would have to give five year's notice to opt out of the MAI plus another 15 of having to abide by its rules (Dobbin 1998).

Environmental and Canadian NGOs were the first to mobilize against the MAI. Environmental NGOs were alarmed by the MAI's broad anti-expropriation clause similar and proposal to link it to investor-state dispute settlement (Canada and the World Backgrounder 1998). Canadian NGOs, such as the Polaris Institute and the Council of Canadians, were already concerned with NAFTA's Chapter 11, especially the clause on investor-state dispute settlement. The MAI was seen to further increase the rights of corporations at the cost of workers, the environment, and communities (Durban 1997). NGOs argued that NAFTA, and consequently the MAI, undermined democratic rights and sovereignty (Sforza and Valliantos 1997; Walter 2001).

NGOs from around the world joined the anti-MAI campaign: a sampling include AFL—CIO [US Federation of Labour Organizations], Amnesty International, Australian Conservation Foundation, Friends of the Earth, World Wildlife Fund for Nature, Oxfam, Third World Network, World Development Movement, United Steelworkers of America, Western Governors' Association, World Development Movement, as well as NGOs from throughout Europe (Kobrin 1998, 98; Walter, 2001). More than 600 NGOs in more than 70 countries mobilized against the MAI (Kobrin 1998). However, unlike the ICBL, the anti-MAI campaign had no central secretariat; information was shared through a complex web of emails and telecommunications. NGOs or NGO coalitions could participate in the campaign using whatever strategy they decided was most effective.

In addition, the anti-MAI campaign is noted for NGO leaders like Maude Barlow, the chairperson of the Council of Canadians, and Tony Clarke who initiated fact-finding missions and worked tirelessly to educate the public about the MAI. In 1997, Barlow and Clarke published *MAI: The Multilateral Agreement on Investment and the Threat to Canadian Sovereignty*, which was a key resource for the anti-MAI campaign. Terry Cottam, a grassroots organizer, started the MAI-Not! website, Murray Dobbin of the Council of Canadians and the Canadian Centre for Policy Alternatives spoke at dozens of rallies and published numerous articles, and hundreds of other important individuals participated in the campaign in various ways. Finally, the campaign against the MAI also included unions, environmental groups, green parties, some small political parties, church groups, as well as consumer and aid organizations (Martin and Varney 2000). In other words, the campaign against the MAI was dynamic, broad-based, and energized. The kinds of strategies adopted by campaigners are addressed in the next section.

4.5 Campaign Strategies

NGOs used multiple strategies – World Wide Web, email, media (newspapers, TV, and video), and public demonstrations – to target state-level governments and grassroots in the NGO campaign against the MAI.

4.5.1 World Wide Web

The NGO campaign found the World Wide Web to be especially useful. First, the World Wide Web was a low-cost communications medium used to coordinate NGO activities and to provide information (Barlow and Clarke 1998; Walter 2001). Getting information about the MAI onto the World Wide Web suited the non-linear NGO campaign structure. Information could be popularly accessed at any time. The spread of information over the World Wide Web countered secrecy and promoted transparency (Bray 1998). Canadian NGOs, in particular, worked hard to post and update anti-MAI websites (Martin and Varney 2000). In early 1998, the Council of Canadians used the internet to publish a joint statement against the MAI which was endorsed by 560 organizations in 67 countries (Bray 1998). The World Wide Web also allowed NGOs to discuss and post alternatives to the MAI. The Polaris Institute, for example, posted ideas on how a multilateral agreement on investment should look on its website. Ultimately, the World Wide Web was useful because it facilitated information between NGOs and government officials, NGOs and grassroots, and grassroots and government officials.

4.5.2 Email

NGOs used email to facilitate information about the MAI between individuals. Emailing between activists was affordable and efficient and it helped to quickly build momentum for the NGO campaign (Barlow and Clarke 1998). Furthermore, NGOs targeted state-level policy makers through email and phone calls. For example, Terry Cottam, a concerned citizen from Ottawa, used the MAI-Not! website to initiate an email campaign (Nelson 1998). It was widely assumed that most Canadian Members of Parliament (MPs) had not even read the MAI (Nelson 1998), so Sergio Marchi and other MPs were mass emailed a request to explain and justify who the MAI would benefit and harm. Every MP was also sent an "MP Accountability Toolkit" (MAI-Not! website).

In addition to email, NGOs used phone call and letter writing campaigns. Australian NGOs organized a petition against the MAI plus organized a mass letter writing campaign to Members of Parliament (Khor 1998b). Similarly, US NGOs organised "national call-in days" with phone calls from members of the public to Senators and members of the MAI negotiating team urging them to reject the MAI (Khor 1998). The Preamble Collaborative, a small Washington-based NGO, also focussed on letter writing to promote rigorous public debate about the MAI (Kobrin 1998).

4.5.3 Media

The NGO campaign used the media to spread information about the MAI. NGOs targeted advertisement opportunities, letters to the editor columns, magazines, and television. For instance, in 1997 (just before the May election), Canadian NGOs took out a full-scale advertisement in the *Toronto Globe and Mail* to raise grassroots awareness

about the MAI. To encourage the public to voice its dissent, the NGO campaign provided online lists of the names and addresses for most of North America's newspapers and magazines (Barlow and Clarke 1998; MAI-Not! 1998). Thousands of people wrote letters. For example, the Economics Editor of the *London Guardian* wrote a one-page critical analysis of the MAI in response to the United Kingdom's (UK) Minister of Trade and Industry, Lord Clinton-Davis' article in support of the MAI (Khor 1998). In another instance, Canadian politician David Orchard wrote a series of anti-MAI articles that were published online in the *Thunder Bay Chronicle Journal* (Orchard 1997). Jim Porter, an associate professor at the University of Windsor, wrote to the MAI-Not! coalition through the letters to the editor section of the *Windsor Star*. He reported that although the CBC media coverage of the MAI was limited that month to coverage of Maude Barlow (events featuring Tony Clarke and Paul Heyer were not picked up by the CBC), he was granted a weekly guest column in the *Windsor Star* where he would report on the various problem areas of the MAI (Porter 1998).

In addition to print media, NGO leaders were featured on television and in videos. For example, *Working TV*, a labour television program broadcast in British Columbia, Canada, facilitated two one hour specials from the January 29, 1998 Public Forum on the MAI featuring Maude Barlow (Working TV 2007). The videos, in addition to being broadcasted, were made available over the World Wide Web. In New Zealand, the MAI protest was discussed and debated daily on radio and television (Nelson 1998).

4.5.4 Public Demonstrations

Public demonstrations created focal points for anti-MAI activities. For example, on February 17, 1998, NGOs in Finland turned Helsinki's downtown into a street theatre where scenes of the MAI stealing economic independence were acted out (Khor 1998). In Sweden, NGO activists lobbied outside the head office of Ericsson, the Swedish telecommunications TNC, "pointing out the contradiction between what the company says it wants in its environmental report and the position of the International Chamber of Commerce of which it is a member" (Khor 1998b). Furthermore, in April 1998, Vancouver, Canada-based Defence of Canadian Liberty Committee (DCLC) took the Canadian government to court in a suit that claimed that the MAI was fundamentally unconstitutional under Canadian law. Hundreds of people rallied outside of the courthouse. These are a sampling of the hundreds of international NGO campaign activities that were staged around the world.

Ultimately, the anti-MAI NGO campaign was successful in engaging both governments and the general public. In the following section, it will be shown how NGO strategies contributed to problems arising in the MAI negotiations.

4.6 MAI Negotiations Continued

The NGO campaign in Canada and internationally was initially met with limited success in its attempts to influence the MAI policy agenda. In Canada, after the NGO campaign had raised awareness of the MAI, the House of Commons Standing Committee on Foreign Affairs and International Trade "thoroughly assessed the MAI draft and Canada's role in it, and it was critical of expropriation provisions and their implications"

(Smythe 2001, 156). Nevertheless, the committee ultimately endorsed Canada's role in the MAI negotiations (Smythe 2001).

At the international level, NGOs had limited success in affecting the MAI negotiations. On October 27, 1997, the international NGO campaign against the MAI had a "fractious" meeting with the OECD negotiating group where they requested that the MAI negotiations be suspended until an "independent and comprehensive assessment of the social, environmental, and development impact of the MAI with full public participation" could be carried out (Taylor 1997; Barlow and Clark 1998; Smythe 2001). The NGO campaign also called for a removal of the MAI's investor-state dispute resolution and expropriation provision, an enforceable agreement on investor responsibility, increased transparency in the MAI negotiations, an increase in the breadth of government departments involved with negotiations, and a renegotiation of the terms of withdrawal (Taylor 1997). The OECD negotiating group simply denied the NGO campaign's demands (Smythe 2001).

In part due to NGO campaign pressure, the partnership between the TNCs and OECD governments continued to breakdown. US business lobbies opposed amending the MAI to exclude environmental or labour objectives on the grounds that it would jeopardize business support for the MAI and would deter non-OECD members from joining (Walter 2001; Smythe 2001). Most OECD government negotiators felt there was little choice but to include binding language on not lowering environmental and labour standards. Canada and Japan, as well as all of Europe (after the United Kingdom's May 1997 election) for example, were not willing to sign the MAI unless flexible language on the environment and labour was included. By February 1998, the US government

conceded that normal regulatory actions should not, even when they affected the value of investments, be subject to compensation, a key principle of the MAI (Mingst and Warkentin 2000; Walter 2001). BIAC complained that the MAI draft had lost sight of its original intentions and threatened a business defection in the ratification process (Walter 2001).

After attempting to save the negotiations with a high level political meeting in February 1998, it became clear to the OECD governments that if an agreement could be made, it would not likely be worth the political costs (Smythe 2001). France and a few other states under domestic political pressure advocated for a hiatus, which was agreed to in April 1998. The CBC reported that although the Secretary General of the OECD, Donald Johnston, put the best face on the delay, at least one negotiator said the break “amounted to a quiet burial for the deal” (Canadian Broadcasting Corporation 1998). Negotiations were to be resumed in mid-October.

NGO campaigners continued to advocate against the MAI at the domestic level. Many provincial/state and municipal governments in Canada and the US felt that the MAI would undermine their own political authority. As a result, many cities declared themselves “MAI Free Zones” (Walter 2001). Despite the OECD’s efforts to save the MAI, many Canadian and American cities, provinces, and states wrote their own legislation against the MAI. For example, on April 28, 1998, the City of Vancouver, British Columbia passed a motion:

THEREFORE BE IT RESOLVED THAT the City of Vancouver urge the Government of Canada to consult widely and in depth with the people of Canada, especially and including, the soliciting of detailed responses from municipal councils, before taking any further action on the Multilateral Agreement on Investment (Public Citizen, 1998).

Likewise, on April 20, 1998 San Francisco city council passed legislation:

THEREFORE BE IT RESOLVED THAT the Board of Supervisors of the City and County of San Francisco hereby urges its state and federally elected officials and lobbyists to actively protest any provision in the MAI draft text or similar provision of any international agreement that would restrict San Francisco's ability to regulate within its jurisdiction, decide how to use its public procurement dollars, and extend benefits to encourage local economic development in a manner consistent with the U.S. Constitution. (Public Citizen, 1998)

Similar resolutions were passed across Canada and the US.

NGO advocacy at the domestic level resulted in some governments shifting their policy positions on the MAI. As a result of public pressure, Canadian negotiators had become wary of the MAI's corporate mandate and were in no position to endorse the continuation of the negotiations⁴. In France, pressure from the Green and Communist factions of the coalition government resulted in France pulling out of the meetings (Lalumiere et al. 1998). Consequently, the French government's withdrawal from the MAI negotiations represented the end of negotiations. Officially, the rest of the MAI negotiating group acknowledged that the negotiations had failed when on December 3, 1998 OECD announced that MAI negotiations had been halted permanently.

4.7 Why Did the MAI Negotiations Fail?

The MAI negotiations failed for four main reasons. First, negotiating in the OECD was a problem as many of the OECD countries would have preferred to negotiate

⁴ By the end of negotiations, "governments everywhere found at least something wrong with the draft agreement" (Walter 2001, 62).

investment rules at the WTO (Kobrin 1998; Smythe 2001). As well, the OECD's narrow membership did not include developing countries, which were one of the key targets of the TNCs. Second, the MAI negotiators' inability to agree on basic principles of the MAI contributed significantly to the MAI's failure (Kobrin 1998). The TNCs' refusal to accept environmental, cultural, and labour concerns made it impossible for most politicians to sign the MAI. Ultimately, the relationship between TNCs and government negotiators broke down as governments adapted to public pressure.

Third, the OECD negotiating group underestimated the effect of keeping the MAI negotiations secret. When the draft copy of the MAI was leaked to Public Citizen, the NGO campaign was given a focus: a secret document that threatened democracy and sovereignty. The NGO campaign mobilized and was able to spread information quickly. Even some governments were surprised by the secrecy of the negotiations. In one instance: "[n]ot even the U.S. congressional committees with direct jurisdiction over international commerce or investment had been briefed, although the U.S. State and Treasury Departments ha[d] spearheaded the MAI talks for three years" (Public Citizen 2007). In fact, US government officials denied the existence of an MAI text until the MAI draft text was leaked in late January of 1997. Public Citizen (2007) reported,

When a Member of the US Congress demanded to know why he had not been informed of the negotiations, the US government claimed numerous briefings had been conducted and sent a list of meetings no invitee could recall. When a different Member of Congress asked the same question to a different official, he was given a totally different "list" of alleged briefings.

As a result of keeping the MAI negotiations secret, the MAI negotiators had a difficult time trying to fend off attacks that the MAI was undemocratic and a threat to sovereignty.

Fourth, as implied in the examples above, NGOs played a significant role in the OECD's failure to successfully negotiate the MAI (Kobrin 1998; Mingst and Warkentin 2000; Smythe 2000; Walter 2001). Through a broad-based coalition that benefited from the breadth of its public reach, NGOs learned that by working together, they were able to utilize their resources and push their campaigns around the world via e-mail, the World Wide Web, and other media sources. By sharing information about the MAI, NGOs shaped the way the debate played out in the public arena (Walter 2001). For example, the NGO campaign benefited by gaining broad public support as a result of labelling the MAI as an enemy of democracy. The loose structure of the coalition allowed each NGO to pursue its own MAI agenda. As a result, a crosspollination of ideas occurred as NGOs attacked the agreement on individual terms (Mingst and Warkentin 2000).

4.7.1 The MAI Negotiators' Perspectives on the Effectiveness of the NGO Campaign

MAI negotiators admitted that NGOs had influenced the policy outcome. For example, the report that explains France's reasons for leaving the MAI negotiations stated, "the MAI has created opposition and tension within civil society. The extent and strength of the opposition and the speed with which it developed were surprising" (Lalumiere, et. al., 1998). Similarly, other European delegates stated that growing NGO pressure exacerbated the differences in opinions in the OECD (Mingst and Warkentin 2000). In speaking about future trade negotiations, Renato Ruggiero (1998), director-general of the WTO, also recognized the role of NGOs:

We are making progress toward improving our information exchange and consultation with civil society. These measures are the first step in our enhanced co-operation and represent the start of an on-going collaboration with partner NGOs, which we fully expect will offer important benefits for all parties concerned.

Therefore, the MAI negotiators argue that NGO campaigning affected the MAI's negotiations.

4.8 The Canadian Context

The Canadian foreign policy position on the MAI was affected by the same factors that led to the overall failure of the MAI negotiations. First, Canadian officials were advocates of using the WTO and were relieved that the OECD negotiations failed (Smythe 2001). The Canadian government never reneged on its foreign policy position of being in favour of an international investment agreement. Therefore, the Canadian government remained in favour of international investment agreements, but it was not willing to pursue the MAI in the OECD (Smythe 2001).

Second, Canadian negotiators were unable to agree to the strict principles of international investment that were being advocated by the TNCs. Team Canada missions are situated on "a terrain in which the economic is completely separate from the political," but the MAI negotiations crossed into the political sphere with the issue of sovereignty as well as those of the environmental, labour, and cultural rights (de Larrinaga and Turenne Sjolander 2000, 45). Since the negotiations had become bogged down in disagreement, the Canadian negotiators were eager to discontinue the game of political football (Smythe 2001, 156).

Third, the Canadian government was forced to deal with the Canadian public's anger over the secrecy of the MAI negotiations. The MAI had not been a major issue in the June 1997 federal election (although the NDP did raise the issue), and many Liberal backbenchers and opposition members were completely unaware of the negotiations.

However, after being hit by the secrecy charge, the minister of International Trade asked the House of Commons on Foreign Affairs and International Trade “to hold hearings in the fall of 1997, and ensured that an *ad hoc* process of consultation, and more information on the negotiations, was made available to the public” (Smythe 2001, 155: See Section 4.6). The Canadian government was thus unable to separate its economic objectives from its political principles.

Fourth, the anti-MAI NGO campaign affected the Canadian government’s policy position on the MAI. NGO campaign strategies targeted and were successful in engaging Canadian politicians (as described in section 4.5). As a result of the NGO campaign raising the profile of the MAI foreign policy issue, the House of Commons Standing Committee on Foreign Affairs and International Trade assessed the MAI draft and Canada’s role in it, and was critical of some of the provisions (Smythe 2001: First described in section 4.6). Canada’s involvement in the negotiations was endorsed, so the anti-MAI campaign did not change Canada’s position on an international investment agreement. Nevertheless, the NGO campaign, in the Canadian context, was successful in its protests and lobbying and World Wide Web and media campaigns to contribute to the failure of the MAI (Smythe 2001, 156). In the next section, the NGO campaign against the MAI is summarized.

4.9 Summary of the NGO Campaign Against the MAI

The failure of the MAI is the result of the OECD’s unsuccessful role as host of the MAI negotiations, the inability of negotiators to agree, a secretive negotiating process, and the international NGO campaign that exacerbated each of the above problems while also facilitating intense public pressure against the MAI. The NGO campaign

experienced success in lobbying political parties (both in opposition and in power) as well as in participating in more traditional street-level protests (Laxer 2003). Furthermore, the campaign against the MAI used traditional (lobby strategies) and non-traditional (e-mail and the World Wide Web) means to stop the MAI. By mounting a broad-based campaign with a clear focus and strong public support, the international NGO campaign against the MAI was effective in contributing to the failure of the MAI.

5.0 Comparing the Campaign Against the MAI to Chapman and Fishers' Taxonomy

In the chart below, the international NGO campaign against the MAI is compared to Chapman and Fisher's taxonomy.

Table 4.1: Comparing the Campaign to Block the Signing of the MAI Against Chapman and Fishers' Taxonomy

Variables	How does the variable contribute to the international campaign against the MAI's effectiveness in achieving a policy change?
1. Timeline	<ul style="list-style-type: none"> • Campaigning over time led to precipitative moments which contributed directly to the MAI's failure. <ul style="list-style-type: none"> ○ The Canadian NGO campaigns that fought NAFTA took a leadership role in the campaign against the MAI. ○ The leaked MAI draft document provided a focal point for the NGO campaign. ○ The NGO campaign contributed to France leaving the MAI negotiations. • The NGO campaign against the MAI is part of a larger protest against the injustices of globalization; it has no clear end. <ul style="list-style-type: none"> ○ Unlike in the case of landmines, the MAI did not

	<p>end with a convention, so the end of MAI negotiations did not equal the end of international investment agreement negotiations.</p> <ul style="list-style-type: none"> • Campaigning over time led to better-established links between NGOs.
2. Concurrent work	<ul style="list-style-type: none"> • The NGO campaign against the MAI was conducted at many different levels (grassroots, national, international) and, within these, in different arenas (communities, local governments, national governments, OECD). • Concurrent work helped build the NGO campaign's momentum. • Work done in each of the arenas contributed to the MAI's failure. <ul style="list-style-type: none"> ○ Campaigning at the state-level contributed to problems in the MAI negotiations. ○ Targeting vulnerable governments (France) contributed to the MAI's failure.
3. Collaboration	<ul style="list-style-type: none"> • A mix of "insider" and "outsider" strategies were used. <ul style="list-style-type: none"> ○ Insider = NGO campaign was invited to a meeting with OECD negotiators. <ul style="list-style-type: none"> ▪ Although the campaign was not granted its request of a suspension, the campaign was given publicity. ○ Outsider = Nearly the entire campaign was conducted outside of the OECD negotiations. NGOs used many different strategies (see Section 4.5). • Organizational structure = Web • As more players become involved, the NGO campaign was strengthened. • Collaboration between NGOs (coalition building, TAN building, and information sharing via e-mail and the World

	<p>Wide Web helped move a campaign forward.</p> <ul style="list-style-type: none"> ○ The World Wide Web and email were particularly effective campaign strategies.
4.Legitimacy	<ul style="list-style-type: none"> • NGO campaign against the MAI brought legitimacy with established NGOs like the Council for Canadians and the Polaris Institute. • The NGO campaign earned legitimacy with the public by releasing the MAI draft. <ul style="list-style-type: none"> ○ NGO campaign promoted democracy and transparency. ○ Resulted in a broad movement supported in principal by civil society.
5.Individuals and mobilizing people	<ul style="list-style-type: none"> • Specific individuals like Murray Dobbin, Maude Barlow, Tony Clarke, and hundreds of other NGO leaders and activists contributed to the NGO campaign against the MAI moving forward. <ul style="list-style-type: none"> ○ The campaign did not have the star power of the ICBL. • Campaign mobilized NGOs, groups, and individuals from around the world, especially in North America and Europe. • Grassroots were opposed to the MAI and the OECD's secretive negotiations; they were instrumental in pushing governments away from the original MAI principles.
6.Narrow focus	<ul style="list-style-type: none"> • Narrow focus = stop the MAI negotiations • Campaign has broadened to tackle the WTO, the FTAA, and as well as other concerns of globalization.
7.Role of government and judiciary	<ul style="list-style-type: none"> • Governments = Canadian and French governments demanded that their cultural industries be left out of the agreement, which contributed to weakening of the original MAI principles and the breakdown of negotiations. • NGO campaign worked at the provincial/state and regional levels; some municipalities went to court against the MAI.

	<ul style="list-style-type: none"> • National law = Campaign lobbied all levels of government to oppose the MAI. • International conventions = NGOs argued that the MAI violated International Human Rights Law. <ul style="list-style-type: none"> ○ This argument was not as convincing as in the case of landmines.
8.International context	<ul style="list-style-type: none"> • The international context of the NGO campaign against the MAI contributed the MAI's failure: NGOs networked and shared information. <ul style="list-style-type: none"> ○ Campaign was international, broad-based and contained a diverse group of NGOs, individuals, and groups. ○ Campaign used e-mail and the World Wide Web to spread information and to organize.
9.Implementation and monitoring	<ul style="list-style-type: none"> • The MAI has not resurfaced, but the FTAA negotiations have included talks on an international investment agreement; the NGO campaign continues to advocate for fair trade and the protection of the environment, labour, and communities. • In 1998, the Council for Canadians published <i>The MAI Inquiry: Confronting Globalization and Reclaiming Democracy</i>, which surveyed Canadians' feelings about the MAI and their ideas for what an international investment agreement should look like.
10.Tools	<p>Codes of conduct = Campaign established a code of conduct for transparency. The MAI was labelled as undemocratic and a threat to sovereignty.</p> <p>Labelling = Does not apply.</p> <p>Social Auditing = Campaign against the MAI no longer exists, but the anti-globalization campaign continues to advocate for global justice issues.</p>

11. Work at the grassroots	<ul style="list-style-type: none"> • Grassroots involvement is essential to ensuring real and sustained change. • Campaign worked hard to educate society about the threat the MAI posed to the environment, labour, and communities. • Public pressure influenced MAI policy positions.
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In summary, all eleven of Chapman and Fishers' variables for NGO effectiveness are evident in the story of how the international NGO campaign against the MAI achieved a policy change. It is interesting that although the campaign against the MAI did not have a positive relationship with MAI negotiators, they were able to use the same basic set of variables as the ICBL. Aside from the fact that communication strategies (e-mail and World Wide Web) played key roles in the MAI's failure, Chapman and Fishers' taxonomy's variables prove to be consistent with the variables that contributed to the ICBL's effectiveness.

In Chapter 5, the landmines campaign and the MAI campaign are compared in context to the variables of effectiveness from Chapman and Fishers' taxonomy.

CHAPTER 5: COMPARING THE INTERNATIONAL NGO CAMPAIGNS TO BAN LANDMINES AND THE MAI AGAINST CHAPMAN AND FISHER'S TAXONOMY

5.1 Introduction

In this chapter it will be seen that the variables from Jennifer Chapman and Thomas Fisher's taxonomy on NGO effectiveness were evident and contributed – to varying degrees – to the effectiveness of the international NGO campaigns to ban landmines and to stop the MAI negotiations. While there are a number of commonalities between the cases, there are also many differences which represent the idiosyncratic and complex nature of NGO campaigns.

Variable 1: Timeline

Campaigning over time may lead to precipitative moments which may have a major impact in terms of change in policy and practice.

Campaigning over time contributed to both NGO campaigns affecting international policy changes; however, the ICBL's campaign spanned two decades and benefited from precipitative moments that moved the campaign along its timeline. The ICBL is a product of NGO activity surrounding the UN's CCW (1980) and the grassroots work of field doctors in the 1980s and the early 1990s. The official start was November 22, 1995, the launch date of the ICBL's international campaign. As a result of the international campaign, landmines were placed on the policy agenda of many world governments, several whom eventually shifted their policies towards a ban on landmines.

Three key moments in the campaign had major impacts in terms of change in policy and practice. First, the ICRC persuaded the UN to put the landmines issue on the international policy agenda; second, the US made a policy change and signed a one-year

moratorium on landmines; and, third, Canada emerged as a leading proponent for issuing a ban on landmines by initiating the Ottawa Process. Each of these events was significant for moving the campaign along its timeline and towards a policy change, which resulted in an international convention. Thus the timeline of the ICBL saw the NGO campaign begin with a policy objective of banning landmines and end with the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

Similarly, campaigning over time contributed to the campaign against the MAI's effectiveness. The campaign against the MAI occurred over a brief period in the late 1990s, but similar to the campaign against landmines, it has its roots in a broader movement, in this case the movement against free trade agreements (ex. campaigns against the North American Free Trade Agreement (NAFTA) (Larson 1998; Lynch 1999; MAI-Not!)).

Like the campaign against landmines, three key precipitative moments had major impacts in terms of change in policy and practice in the campaign against the MAI. The first of these moments was in late January 1997 when a 90 percent complete draft of the MAI was leaked to Public Citizen. This led to the world wide campaign against the MAI. Campaigners focused on the objective of blocking MAI negotiations. A second precipitative moment was when the OECD was chosen to host the MAI negotiations. The OECD was contested by participants, and negotiators who could not agree on core principles. Third, French negotiators pulled out of the MAI negotiations which signaled the end of the MAI talks on October 28, 1998. Therefore, the NGO campaign against the

MAI began with the release of the MAI draft and ended when the MAI negotiations failed.

In conclusion, the campaigns against landmines and the MAI benefited from precipitative moments that had major impact in terms of change in policy and practice. However, it is significant that while the ICBL was concluded with an international convention, the NGO campaign against the MAI concluded with an end to negotiations, but not an end to the policy work around an international investment agreement. Therefore, Chapman and Fishers' *Variable 1* contributed to the international NGO campaigns against landmines and MAI achieving policy changes, but in context to two different outcomes.

Variable 2: Concurrent work

To be effective, work has to be conducted at many different levels and, within these, in different arenas, which may target other groups and may lead to the broadening of the campaign.

Both NGO campaigns conducted work at three different levels (international, national, grassroots) and in many different arenas (ex, UN, national governments, regional governments, judiciaries, industry, communities, and individuals). As a result, the campaigns were inclusive and received broad-based support. As noted in Chapter 3, the ICBL's workers operated at the international, national, and grassroots levels (Beier and Crosby 1998). First, ICBL groups worked at the international level in several arenas: international judiciary, the UN, international NGOs, national governments, and the voting public. Second, at the national level the ICBL partnered with national NGOs, lobbied public opinion, and encouraged officials in national governments to adopt a policy shift

on landmines. Third, at the grassroots level the ICBL collected and published data and used the media to facilitate publicity campaigns designed to promote awareness of the landmines problem. As a result, work done at different levels and in different arenas, contributed to the ICBL's effectiveness in achieving the MBT.

The work conducted at different levels and in different arenas was interconnected, so work in one area spurred progress in other areas. For example, as noted in section 3.2, work at the grassroots level provided the ICBL with photographs, data, and anecdotal evidence against landmines, all of which helped to crystallize the importance of banning landmines in other arenas. In many countries, widespread public support for a ban on landmines was a result of the ICBL's public awareness campaigns. As a result, the ICBL's membership and public support for a landmines ban increased.

Similarly, the campaign against the MAI was conducted at the international, national and grassroots levels and was conducted at each of these levels in a number of arenas. First, at the international level, the campaign against the MAI created coalitions of NGOs around the world, especially in OECD countries, and lobbied the voting public, national governments, TNCs, and the OECD. At the national level, the NGO campaign lobbied national and regional government officials to drop out of MAI negotiations. National and regional judiciaries were used to push legal pressure points over sovereignty-related issues. Cultural industries and environmental and labour groups were lobbied to create momentum against the MAI, and campaigns in France and Canada were especially effective at instigating state-level debates against the MAI. At the grassroots level, the NGO campaign used e-mail and the World Wide Web to educate individuals, families, communities, and grassroots NGOs on the MAI. As a result of work being done

at the above three levels in the different arenas, the NGO campaign against the MAI was broadened.

Like the ICBL, the campaign against the MAI's concurrent work was interconnected. First, work at the international level (ex, NGO coalition building and information sharing) fuelled momentum for national and community lobby efforts. For example, international information sharing facilitated ideas and information between the levels and within the various arenas (ex, national NGOs, community groups, individuals) which contributed to increased awareness of the campaign's objectives, and in turn, contributed to an increase in support for the campaign.

The examples described above illustrate how the campaigns against landmines and the MAI had to conduct work at many different levels and, within these, in different arenas, which broadened their campaigns and contributed to their overall effectiveness. Therefore, Chapman and Fishers' *Variable 2* contributed to the international NGO campaigns against landmines and MAI achieving policy changes.

Variable 3: Collaboration

To campaign effectively, a mix of "insider" and "outsider" strategies are needed although the overall strategy of each NGO remains characterized predominately by one or the other.

For both the landmines and MAI campaigns, a mix of insider and outsider strategies were needed to be effective. However, the ICBL was characterized by its insider strategies while the campaign against the MAI was characterized by its outsider strategies. First, the ICBL's leadership is argued to have had a successful insider relationship with officials from the Canadian government, and this is widely celebrated as

the first working relationship between members of NGOs and Canadian government departments, officials and parliamentarians that resulted in a significant policy change (Axworthy 2004). Although the ICBL is characterized predominately by insider strategies, outsider strategies were also used as NGOs networked, collaborated, and lobbied governments. For instance, the ICBL used an international educational campaign to create grassroots support for a ban, which, in turn, contributed to the lobby directed at government officials.

The campaign against the MAI was limited in its use of insider strategies because the MAI was negotiated in relative secrecy: the OECD held “quiet, behind the scenes negotiations” (Gale 1997, par.1). As a result, the NGO campaign membership was not invited to contribute to the MAI discussion as NGO members had been during the Ottawa Process. Furthermore, the campaign against the MAI was characterized by the use of outsider strategies: information gathering and sharing, public rallies, and letter writing campaigns. For example, after the MAI draft document was released, the NGO campaign used e-mail and the World Wide Web to spread public awareness and to create momentum against the MAI. The use of e-mail and the World Wide Web during the campaign against the MAI was the key contributing factor to the effectiveness of the outsider strategies (Mingst and Warkentin 2000).

In addition to its emphasis on the outsider strategies, the campaign against the MAI used insider strategies as well. For instance, members of the NGO campaign’s leadership met with the MAI negotiators once on October 27, 1997. Although the meeting was unsuccessful, it helped the NGO campaign workers build momentum against the MAI by drawing the media’s attention to the campaign and by highlighting

sensitive issues within the agreement, which encouraged disagreements within the negotiations. As a result, the campaign against the MAI – although predominately characterized by the use of outsider strategies – also used insider strategies.

Moreover, the conditions surrounding the landmines and MAI policy issues contributed to whether or not and how NGOs were able to interact with policy makers. On the one hand, the Canadian government was willing to work with the ICBL leadership in facilitating the MBT. On the other hand, state-level governments were not willing to work with NGOs who were part of the campaign to stop the MAI.

Although the ICBL is characterized by insider strategies and the campaign against the MAI is characterized by outsider strategies, both campaigns used a combination of the two approaches, and in both cases, the approaches contributed to NGO campaign effectiveness. Therefore, the extent to which policy makers were willing to engage NGOs contributed to which strategy the NGO campaign leadership favoured. Consequently, the ICBL and the campaign against the MAI are in agreement with Chapman and Fishers' *Variable 3*.

Variable 4: Legitimacy

Legitimacy is essential for effective campaigning and for raising resources.

Earning legitimacy was essential for both the ICBL and the campaign against the MAI for effective campaigning and raising funds. The ICBL used campaign strategies (ex, information gathering and sharing, media and education campaigns, letter writing campaigns, government lobbies) to earn broad-based support from grassroots, governments, and the UN. As a result, the ICBL was able to earn the trust of some

government officials (ex, Bob Lawson, Lloyd Axworthy) and eventually to raise – although it was a constant struggle – enough funds to host the landmine ban negotiations (ICRC 1999). In addition, NGO expertise spurred the UN to commit resources to landmine clearance, and it also helped facilitate the creation of the ICBL's TAN which helped persuade 144 of the world's governments to sign the Ottawa Treaty (Flynn 2004). In fact, the ICBL's field expertise was the reason it was invited to participate in government-sponsored landmine conferences and meetings.

Some officials in the military departments of governments contested the ICBL's legitimacy. Kenneth Rutherford (2004), for example, suggested that many of the NGO-generated statistics were "inflated" and "regurgitated by the media without proper fact checking and research" (56). As well, Michael Flynn (2004) stated that although the UN estimated in the 1990s that there were 100 million landmines worldwide, it was highly unlikely that the number could be proved (117).

In addition to earning legitimacy with grassroots and government, the ICBL had to compete for funds with de-mining NGOs. Instead of facilitating the MBT, de-mining NGOs argued that the money could be better spent in mine removal activities. The ICBL attempted to address the de-mining lobby by citing its first priority in the solutions to the landmines problem as removing mines from the ground (ICBL, Solutions). The de-mining NGOs have also been brought into the ICBL to play an important role in monitoring states for Treaty compliance. As a result, the ICBL earned legitimacy with grassroots, governments, and de-mining NGOs.

In the case of the MAI, both the MAI negotiations and the campaign against the MAI were contested. On the one hand, MAI negotiators and supporters argued (after the

MAI had been leaked) that the MAI's intention was "to protect the rights of international investors," essentially giving corporations equal standing with nations, at least in respect to investment legalities and practices (Rauber 1998, 16). Canada's Department of Foreign Affairs and International Trade (DFAIT) (1998) argued, for example, that a multilateral agreement on investment was in Canada's best interest: "an internationally accepted set of rules for the treatment of foreign investment is highly desirable in today's economy" (par. 7). On the other hand, NGOs argued that the MAI was an attack on democracy, sovereignty, and community rights. For example, Public Citizen (1997) and Naomi Klein (1997) argued the MAI would result in the degradation of laws protecting labour and the environment as the MAI would make it illegal for countries to try to prevent job flight or to impose job creation or community reinvestment provisions on foreign investors and the environment. In addition, NGO leaders claimed that the MAI was undemocratic as the OECD had decided to hold the MAI negotiations in secret. By way of investigation and information dissemination, the campaign against the MAI became civil society's primary source for MAI information. As a result, the NGO campaign earned its legitimacy with grassroots.

By encouraging debate within the MAI negotiations over cultural industries and environmental and labour rights, the campaign against the MAI also earned a certain level of legitimacy with some MAI negotiators. In countries like France and Canada, the NGO campaign contributed to the state-level governments being forced to back away from the MAI's core principles. Therefore, NGOs played on the divisions between MAI negotiators. It is important to point out, however, that the NGO campaign was effective in leveraging its influence over state-level policies having to do with the MAI, but it was

not effective in influencing policy makers against the basic principles of an international investment deal.

Legitimacy was essential for moving the ICBL and the campaign against the MAI forward. The ICBL earned legitimacy with grassroots as well as governments. The campaign against the MAI earned legitimacy with grassroots which was turned into momentum to target the divisions between MAI negotiators. As a result, Chapman and Fishers' *Variable 4* contributed to effectiveness of the ICBL and the campaign against landmines.

Variable 5: Individuals and mobilizing people

Specific individuals, who have a flair for motivating people and who have a combined social conscience and strategic vision, are crucial to the process at both the national and grassroots level.

For both the ICBL and the campaign against the MAI, specific individuals with key leadership abilities were crucial to the policy process at both the grassroots, national, and international levels. In the case of landmines, the work of Cornelio Sommaruga and the ICRC staff is an example of effective grassroots' leadership. At the Canadian national level, Andre Ouellet, Lloyd Axworthy, and Jean Chretien contributed to moving the ICBL along its timeline. As noted previously, Lloyd Axworthy advanced the ICBL's policy objective by initiating the Ottawa Process. At a time when strong national leadership was required to move the idea of a ban out of negotiations and into a policy process, Axworthy offered to facilitate the Ottawa Process, which ultimately led to the MBT. Pope Jean Paul, the Dalai Lama, Boutros Boutros Ghali, Princess Diana, and Jody Williams are examples of key individuals who advanced the process of banning landmines at the international levels. The landmines campaign, with strong NGO,

celebrity, and political individuals having contributed to the campaign, strongly suggests that key individuals with vision and leadership skills are important for moving a campaign forward.

The results of the campaign against the MAI also supports the need for key individuals to move a campaign forward as evidenced by such NGO leaders as Maude Barlow, Tony Clarke, Ralph Nader, and Murray Dobbin who helped facilitate the international campaign against the MAI at the grassroots, national, and international levels. For example, Barlow, the national chairperson of the Council for Canadians, took a leadership role in publishing information about the MAI and its potential effects. She wrote *MAI: The Multilateral Agreement on Investment and the Threat to Canadian Sovereignty* (1997) with Tony Clarke, *MAI: The Multilateral Agreement on Investment and the Threat to American Freedom* (1998), and *MAI: The Multilateral Agreement on Investment Round 2: New Global and Internal Threats to Canadian Sovereignty* (1998) again with Tony Clarke. In publishing information against the MAI, Barlow spread the campaign's message, legitimized the campaign's objective, and created publicity opportunities for the campaign thus raising its profile at the grassroots and international levels. Barlow and other NGO leaders shifted the MAI discussion from within the OECD to the public domain where the MAI's implications to the environmental, human rights, and democratic governance were shown (Mingst and Warkentin 2000).

Although the MAI's key figures were often less prominent, in terms of their celebrity and accolades, than those of the landmines campaign, they were still effective in moving their campaign towards a policy goal. This is significant because Chapman and Fisher's variables do not include the potential influence of celebrities over an

international policy issue. In the case of the ICBL, celebrities like Diana, Princess of Wales generated an enormous amount of media attention which contributed to the mass popularity of the campaign (English 1998).

As outlined above, key individuals in each campaign were extremely helpful in educating and mobilizing people at the grassroots level and in moving the campaigns along their timelines at the national level. However, the ICBL had a lot more celebrity cache than the campaign against the MAI, which contributed to the NGO campaign being made effective. Consequently, the ICBL and the campaign against the MAI are fundamentally in agreement with Chapman and Fishers' *Variable 5*.

Variable 6: Narrow focus

A narrow focus can be extremely effective in getting an issue formulated and in ensuring progress.

A narrow focus was important in getting the NGO-sponsored landmines and MAI policy issues formulated and in ensuring that progress was made along their timelines. Both the ICBL and the NGO campaign against the MAI consisted of hundreds of NGOs, which made having a narrow focus essential to each of the campaign's effectiveness. A major reason for the landmines campaigns' successes were the simplicity of their arguments. As Price (1998) argues, "a blanket taboo is much easier to understand than complex restrictions on how mines can be used" (111). Rutherford (2004) adds that the ICBL had the advantage of being able to narrow its focus on the landmines issue to argue for a complete ban, which increased its value to governments involved in the landmines discussions.

Similarly, the campaign against the MAI benefited from a single, clear focus. The campaign coalesced under the objective of blocking the MAI. Although the NGO campaign produced alternative draft ideas for the MAI (thus implying that some version of the MAI could be adopted), the campaign's purpose was to highlight the fact that the OECD's MAI was unacceptable. By making the MAI debate into an ultimatum of sorts, the campaign was successful in its objective of contributing to the failure of the MAI negotiations. As a result, Chapman and Fishers' *Variable 6* is proven to be consistent with the ICBL and the NGO campaign against the MAI.

Variable 7: Role of government and judiciary

Governments, national law, and international conventions need to be involved to get legal frameworks in place, ensure the law is implemented, carry out large programmes for which NGOs cannot raise the necessary resources, change practice and attitudes in government-run institutions, and give permanency.

The campaigns against landmines and the MAI needed governments, national law and international conventions to get the legal frameworks of their desired policy changes in place, to ensure that the policy changes were implemented, to carry out large programmes (in some cases), to change government policy positions, and to give permanency to policy changes. For example, state-level governments helped advance the landmines policy agenda as is evidenced in Chapter 3, Section 3.5. First, the US signed a one-year moratorium on landmines, which set precedence for other state's (like members of the EU) to pursue legislation. Second, other European states like Belgium and Austria attempted to facilitate a ban, and third, Canada initiated the Ottawa Process and facilitated the MBT. Third, rather than use national laws, the ICBL worked to influence the foreign policy positions of state-level government departments. Having officials like

George Bush Sr. who agreed to a one year moratorium and then later Canadian Foreign Affairs Minister Lloyd Axworthy who agreed to a ban on landmines, the ICBL gained momentum to advocate for an international treaty. In addition to governments and national law, international human rights legislation, which was used to set the international landmines policy agenda, helped facilitate the effectiveness of the ICBL. The ICBL claimed that APMs were illegal under international humanitarian law because they were “indiscriminate, failed to balance military utility against human suffering and flouted laws relating to the protection of the environment” (Croll 1998, 134). In fact, Protocol 1 of the Geneva Conventions states that landmines are illegal (134). As a result, the legal framework for the MBT was set out by international conventions. Therefore, the ICBL’s effectiveness was reliant on governments, national law, and international conventions.

The NGO campaign against the MAI also benefited from governments, national law, and international conventions. Lobbying government officials was key to the campaign’s effectiveness as the representatives from the French and Canadian governments (largely as a result of NGO lobbying and, in turn, grassroots pressure) refused to agree to key principles in the MAI draft. Eventually, the French government representative left the MAI negotiations, which ultimately signalled the end of the MAI. In addition to governments, the NGO campaign promoted provincial/state and federal laws that protect sovereignty (specifically in Canada and the US as discussed in Section 4.6). Consequently, the campaign was able to brand the MAI as undemocratic which generated public interest and dissatisfaction with the MAI and its negotiating process. The campaign against the MAI’s workers argued that the MAI was in opposition to the goals and objectives of International Human Rights Law (Archer et. al. 2007). For

example, the MAI's National Treatment provisions would have limited a state's power to promote the development of its own populace and resources as required under international treaties (Archer, et al. 2007). Consequently, the campaign against the MAI – like the ICBL – used governments, national laws, and international conventions, which is consistent with Chapman and Fisher's *Variable 7*, to achieve their campaign objectives.

Variable 8: International context

The international context of an NGO campaign can influence its effectiveness: collaboration between NGOs from different countries, international conventions, and coverage of an issue in the international media.

The international contexts (in specific reference to collaborations, conventions, and media coverage) of the ICBL and the campaign against the MAI influenced their effectiveness in achieving policy outcomes. Rather than focus again on how the campaigns used international conventions as was discussed above in *Variable 7*, it will be shown that the ICBL recognized the need to create a broad-based international coalition (Rutherford 2004, 57). In fact, the ICBL's membership included NGOs concerned with a wide range of issues, "including arms control and disarmament, economic and social development, human rights, and refugee assistance" (60). Paul Wapner (2004) stated that the ICBL grew from an initial membership of two NGOs in 1991 (VVAf-USA and Medico International-Germany) to over one thousand NGOs from seventy countries in seven years (254).

The ICBL's organizational structure was important to its overall effectiveness. For example, Jody Williams (2000) argued that the strengths of the ICBL were that it had a loose structure, it was a "true coalition made up of independent NGOs," and it had "never [been] a secretariat or central office" (88). The NGOs of the ICBL, according to

Williams, came together with “the common goal of banning landmines,” but there was never “an overarching, bureaucratic structure” telling members how to contribute to the campaign, and so the ICBL “deliberately did not establish a central office; each NGO had to find a way to participate in making the campaign work” (89). The structure was designed to ensure that the ICBL “belonged” to all of its members (Williams 2000), but the ICBL’s secretariat maintained a clear focus. According to Rutherford, the ICBL’s ability to speak on behalf of its membership with a unified, clear message was the key to it being effective when communicating at conferences and when addressing state representatives and the media (60). Thus, the ICBL’s style of collaboration contributed to its effectiveness.

The ICBL was effective at communicating with the international media because the campaign used images and statistics to advance its agenda. Pictures of landmine victims combined with comprehensive statistics gave the ICBL stunning anecdotal evidence in support of a ban on landmines. Therefore, collaborating in a loosely structured TAN and using the international media to highlight the atrocities caused by landmines onto civilians contributed to the ICBL’s effectiveness.

Similarly, the campaign against the MAI’s effectiveness was determined by its international context, which was limited almost completely to OECD countries. The campaign against the MAI was built around a coalition of state level and international level NGOs like the Council of Canadians, the Sierra Club, the Polaris Institute, and Public Citizen. The NGO coalition’s strength was concentrated in North America and Europe (OECD countries), but the campaign worked in every OECD country as well as in many developing countries. These NGOs, according to Walter (2001), provided a focal

point for the mobilization of general opposition to the MAI and was central to publicity campaigns that forced certain MAI negotiators to ask for exceptions to key principles of the MAI, which resulted in the collapse of business support (62). As a result of lobbying many government officials around the world, the campaign was able to exert leverage over the MAI negotiators, thus allowing the campaign to influence the policy negotiations far beyond their ability to influence state practices directly” (Keck and Sikkink 1999). In other words, the international context of the campaign contributed to its overall effectiveness.

In terms of organization, the NGO campaign against the MAI did not have a hierarchical or centralized structure. NGO coalition members, like the MAI-Not! website, were free to use strategies that they felt were best suited to particular times in the campaign. For example, e-mail and the World Wide Web helped NGOs communicate MAI news and information. The international context of online communications helped the NGO campaign extend and maintain momentum against the MAI. As a result, pressure could be placed on negotiators from many countries at the same time. In addition to international communication, the campaign used the international media to facilitate the message that the MAI was undemocratic and a threat to state sovereignty. The most important example of the campaign’s use of media was in the release of the leaked draft text of the MAI. The international media became interested in the OECD negotiations, which in turn highlighted the NGO campaign’s fight against it. Consequently, people around the world were given a chance to learn about and debate the MAI.

Therefore, based on the evidence provided, the international contexts for the ICBL and the NGO campaign against the MAI contributed to each campaign's effectiveness. As a result, the effectiveness of the ICBL and the campaign against the MAI was due in part to the international context of each campaign, which is consistent with Chapman and Fishers' *Variable 8*.

Variable 9: Implementation and monitoring

The effectiveness of an NGO campaign is dependent on the implementation and monitoring of a policy.

The effectiveness of each campaign was dependent on the implementation and monitoring of the policy. In the first case, the ICBL's effectiveness is dependent on the implementation and monitoring of the MBT, which is evidenced by the MBT's increase in membership: 155 states from its original 144 (ICBL, States Parties). In addition, the ICBL points out that significant progress has been made since the Treaty went into effect in 1999. First, production of antipersonnel mines has dropped considerably and trade has almost come to a halt. Second, there has been widespread and extensive destruction of stockpiled mines: millions of antipersonnel mines have been eradicated and can never ever be used. Third, vast tracts of land have been cleared and put back into productive use. Fourth, there are now fewer new mine victims each year. Fifth, mine use has halted in several countries (like Angola and Sri Lanka) where it had been widespread. Sixth, there is a new international norm – where use anywhere by anyone is considered illegal – is gathering strength. Seventh, more and more states are joining the treaty and working hard to implement it fully. Eighth, more non-member states are responding to international pressure and abiding by the spirit of the agreement. (ICBL, How will the treaty be implemented?)

In respect to monitoring the MBT, the Treaty's Article 8 provides for "fact-finding missions to investigate potential violations of the treaty" (ICBL, Compliance). During the Oslo negotiations, most delegations believed an overly intrusive arms control-type verification and compliance regime was unnecessary in the case of antipersonnel mines, so Article 8 is modeled after the international humanitarian law model of fact-finding (ICBL, Compliance). The implementation and maintenance of the MBT is a constant challenge because landmines are still in use, but the current ICBL campaign is working to maintain and improve the MBT.

The campaign against the MAI is different from the ICBL in that it concluded with a change in a convention or a major shift in international ideology. After the MAI negotiations ended in the OECD, they were moved over to the WTO where talks began on the Free Trade Area of the Americas (FTAA), potentially the most comprehensive free trade agreement ever negotiated. It is currently being discussed by 34 countries, many of which are OECD members.

The FTAA, as it now stands, would introduce into the Western Hemisphere all the disciplines of the proposed services agreement of the World Trade Organization (WTO) - the General Agreement on Trade in Services (GATS) - with the powers of the failed Multilateral Agreement on Investment (MAI), to create a new trade powerhouse with sweeping new authority over the Americas. (Public Citizen, Free Trade Area of the Americas)

Many of the NGOs which were a part of the NGO campaign against the MAI have joined the campaign against the FTAA, and at the time of writing this document, there is no multilateral agreement on investment. Unlike the ICBL, the NGO campaign against the FTAA did not conclude with an international convention, so its ability to maintain a policy change is different from that of the ICBL.

The effectiveness of the ICBL and the campaign against the MAI are parallel in that both campaigns resulted in international policy changes. However, the ICBL's leadership is able to concentrate on improving the MBT whereas the NGO campaign against the MAI's membership continues to fight against corporate-driven international agreements.

Variable 10: Tools

In addition to legislation and conventions, other tools are being developed, such as codes of conduct, labelling, and social auditing; these seem to be appropriate when either national legislation or international conventions do not exist, or are too weak, too broad or unspecific, or when it is problematic to implement them through the legal system or government.

The ICBL developed codes of conduct and social auditing to achieve and maintain its policy outcome. First, the MBT promoted a code of conduct stating that landmines are both unethical and illegal. Second, in respect to social auditing, the ICBL monitors states and organizations that use landmines and publicize violators on its website (<http://www.icbl.org/>). The ICBL also tries to reason with MBT offenders by arguing that the effects of landmines on civilians outweighs their military utility. Essentially, the ICBL's exercise of codes of conduct and social auditing helped to move the policy campaign along its timeline, and it helps to maintain the policy outcome.

Like the ICBL, the campaign against the MAI used codes of conduct and social auditing, first by labelling the MAI "undemocratic" and "a threat to the environment, labour rights, and social justice." The campaign's message told that the MAI would give more power to corporations while taking rights away from citizens; law firms were hired to argue that the MAI was not compliant with existing state laws concerning sovereignty.

Although the ICBL leadership made comprehensive use of codes of conduct and social auditing to advance their policy agenda, the NGO campaign against the MAI's membership relied using codes of conduct to label the MAI negotiating process as undemocratic. The NGO campaign against the MAI was able to monitor the policy positions of state-level governments, but there was less shame in negotiating the MAI than there was in manufacturing or employing landmines.

Variable 11: Work at the grassroots

Grassroots involvement is essential to ensuring real and sustained change.

Grassroots involvement was essential to ensuring the effectiveness of the ICBL and the campaign against the MAI over time. For the ICBL, grassroots was the key level for gathering information on the effects of landmines onto civilians, and in turn was the starting point for the international lobby in support of a ban. Furthermore, grassroots support for a ban resulted in broad-based public support for political action and an aggressive lobby of state-level officials. For example, Lloyd Axworthy (2004) argued that the "march [towards the MBT] began, not with governments ... but with citizen groups. They were the ones who eventually yanked officials out of their comfortable chairs and forced them into stride" (xvi). As a result, UN officials and state-level politicians were swayed to put landmines on the international foreign policy agenda and eventually agree to an international policy change. In addition to having contributed to the ICBL, the grassroots level is particularly helpful in the maintenance of the MBT. There is a thorough account of the current activities of the ICBL in 6.5.1 of the Conclusions.

Similar to the ICBL, the campaign against the MAI relied heavily on grassroots support to advance its policy campaign, but that support was less organized and was smaller in scope than in the case of the ICBL. First, grassroots are significantly affected by international trade and investment deals, so they have a significant part to play in how these kinds of agreements are negotiated and implemented. In fact, the grassroots level produced consistent pressure onto government officials to act democratically and thus to protect sovereignty while negotiating the MAI. Second, the membership of NGOs in the campaign against the MAI were drawn from a cross-section of the grassroots level. For example, the Council of Canadians, the Polaris Institute, and Public Citizen represent a diverse section of North American society that includes educators, academics, environmentalists, trade unionists, politicians, small businesses and numerous other groups. The wide representation translated into broad-based support, and public participation in the MAI debate strengthened the call for a democratically-orientated MAI (Mingst and Warkentin 244).

However, the NGO campaign against the MAI did not have the scope of the ICBL because it was for the most part limited to grassroots' support from OECD countries. As well, the grassroots play a key role in the struggle to maintain the policy change if not re-starting the MAI negotiations, but not having a tangible legal policy change makes sustaining grassroots pressure far more abstract and difficult than in the case of landmines.

Therefore, grassroots involvement, for both the NGO campaigns against landmines and the MAI, was a key to building and sustaining the momentum of the campaigns until and after a policy change occurred. The NGO campaign against the

MAI, however, is in a more difficult situation than the ICBL due to the condition of not having an international policy to support their position. Therefore, the results of the analysis of the ICBL and the campaign against the MAI show that Chapman and Fisher's *Variable 11* is consistent with these findings in context to the ICBL and is consistent to lesser extent in the case of the campaign against the MAI.

In the following table, the results of the landmines and MAI case studies being tested against Chapman and Fisher's taxonomy are summarized.

Table 5.1: Comparing the NGO Campaigns to Chapman and Fishers' Taxonomy: Summary

Chapman and Fisher's variables of NGO campaign effectiveness	The NGO campaign against landmines (summary)	The NGO campaign against the MAI (summary)
<p>1. Timeline</p> <p>Campaigning over time may lead to precipitative moments which may have a major impact in terms of change in policy and practice.</p>	<p>- Campaign occurred over two decades and policy was changed due to "precipitative moments"</p>	<p>- Broader campaign has long history; MAI campaign occurred due to a "precipitative moment" (leaked draft)</p>
<p>2. Concurrent work</p> <p>To be effective, work has to be conducted at many different levels and, within these, in different arenas, which may target other groups and may lead to the broadening of the campaign.</p>	<p>- Operated at international, national, and grassroots levels - campaign was broadened</p>	<p>- The grassroots carried the campaign to the national and international levels - campaign was broadened</p>
<p>3. Collaboration</p> <p>To campaign effectively, a mix of "insider" and "outsider" strategies are needed although the overall strategy of each NGO remains characterized predominately by one or the other.</p>	<p>- Campaign is characterized by insider strategies NGOs and Canadian government worked together - ICBL lobbied governments</p>	<p>- Campaign is characterized by outsider strategies - Grassroots pressure onto government members - NGO leaked the MAI draft; NGOs campaigned against pro-MAI governments</p>
<p>4. Legitimacy</p> <p>Legitimacy is essential for effective campaigning and for raising resources.</p>	<p>- Legitimacy was of central concern to the NGO argument - NGOs were landmine experts</p>	<p>- Legitimacy was proved by discovering the MAI draft</p>
<p>5. Individuals and mobilization of groups</p> <p>Specific individuals, who have a flair for motivating people and who have a combined social conscience and strategic</p>	<p>- The ICBL had celebrity caché Ex, Princess Diana, Cornelio Sommaruga, Lloyd Axworthy, the</p>	<p>- Ex, Maude Barlow, Tony Clarke (Council of Canadians); many politicians and NGO leaders</p>

vision, are crucial to the process at both the national and grassroots level.	Dalai Lama, Jody Williams	
<p>6. Narrow focus</p> <p>A narrow focus can be extremely effective in getting an issue formulated and in ensuring progress.</p>	<ul style="list-style-type: none"> - Ban landmines - Narrow focus encouraged a broad and unified campaign 	<ul style="list-style-type: none"> - Stop the MAI - Narrow focus broadened and strengthened the NGO coalition's campaign
<p>7. Role of government and judiciary</p> <p>Governments, national law, and international conventions need to be involved to get legal frameworks in place, ensure the law is implemented, carry out large programmes for which NGOs cannot raise the necessary resources, change practice and attitudes in government-run institutions, and give permanency.</p>	<ul style="list-style-type: none"> - Ex, Ottawa Process (Canada); international humanitarian law; Landmines Treaty 	<ul style="list-style-type: none"> Ex, national law (sovereignty); international law (human rights); corporate law
<p>8. International context</p> <p>The international context of an NGO campaign can influence its effectiveness: collaboration between NGOs from different countries, international conventions, and coverage of an issue in the international media.</p>	<ul style="list-style-type: none"> - Transnational advocacy networks - Internationalized argument 	<ul style="list-style-type: none"> - Transnational advocacy networks - Internationalized argument Limited to OECD countries
<p>9. Implementation and monitoring</p> <p>The effectiveness of an NGO campaign is dependent on the implementation and monitoring of a policy.</p>	<ul style="list-style-type: none"> - ICBL and grassroots are in agreement, but having an international treaty is key to sustaining change - De-mining campaigns argue for implementation of a landmine free world 	<ul style="list-style-type: none"> - NGOs are in agreement, but it is very difficult to maintain the MAI outcome –it is constantly changing form and venue - The blocking of the MAI was significant for the moral of the greater NGO-led anti-globalization

		movement
<p>10. Tools</p> <p>In addition to legislation and conventions, other tools are being developed, such as codes of conduct, labelling, and social auditing; these seem to be appropriate when either national legislation or international conventions do not exist, or are too weak, too broad or unspecific, or when it is problematic to implement them through the legal system or government.</p>	<p>- De-mining lobby argues for focus to be on getting rid of mines as well as on celebrating states that do not produce them</p>	<p>- NGOs emphasized problematic legalities of the MAI on local and state level governments -No specific convention or legal agreement supporting the NGO position</p>
<p>11. Grassroots involvement</p> <p>Grassroots involvement is essential to ensuring real and sustained change.</p>	<p>- Grassroots are key to monitoring and enforcing the Treaty</p>	<p>- Grassroots maintain pressure onto various levels of government to act fairly when negotiating economic agreements -Limited to OECD countries - Difficulties involved in sustaining the failure of the event.</p>

5.2 Summary

In summary, although there are variances within how the variables relate to the landmines and MAI issues, the NGO campaigns against landmines and the MAI share a consistent set of variables that resulted in campaign effectiveness. Specifically, Chapman and Fisher's taxonomy shows how and why the landmines and MAI NGO campaigns were effective in achieving policy changes. Each variable of effectiveness shows how NGO campaigns need to be dynamic and able to adapt to new conditions. It is also significant to note that the taxonomy shows that the variables of effectiveness are

interconnected. The taxonomy does not, however, show that there are different kinds of policy changes. The ICBL concluded with an international convention whereas the campaign against the MAI concluded with the end of MAI negotiation. This fundamental difference in policy change affected some of the variables. The results of the comparison are summarized below.

First, timelines and concurrent work each contributed to the campaigns, but the campaign against the MAI had a much shorter lifespan than the ICBL. Second, the ICBL was characterized by the use of insider strategies whereas the campaign against the MAI was characterized by outsider strategies. Both campaigns, however, participated in coalitions and TANS. Third, legitimacy was a key to each campaign, although in context to individuals, the ICBL had significant celebrity cache. Fourth, both campaigns had and benefited from a narrow focus. Fifth, International Humanitarian Law significantly affected the ICBL whereas national policy and law were more useful in lobbying against the MAI. Sixth, both campaigns had international contexts, but the MAI's was limited to a significant extent to OECD member countries. Seventh, the ICBL's membership has a tangible objective in aiming to improve the MBT whereas the campaign against the MAI has a less clear task in sustaining a policy change without a formalized convention. Both campaigns used codes of conduct and social auditing, but while the ICBL leadership focused on both, the campaign against landmines focused more on codes of conduct. Finally, both campaigns relied heavily on grassroots' support. The ICBL, however, is more successful in sustaining grassroots focus on policy change than is the campaign against landmines due in large part the Mine Ban Treaty. In conclusion, the variables

from Chapman and Fisher's taxonomy are evident in both the ICBL and the campaign against the MAI, but their contribution to the overall campaigns vary.

CHAPTER 6: CONCLUSIONS

This project makes three central conclusions. First, two international NGO campaigns, the ICBL and the campaign against the MAI, were effective in achieving an international policy change. Second, both campaigns contributed to CFP shifts (which was less clear in the MAI case) that had larger implications to the overall campaigns. Third, the variables that contributed to the effectiveness of both the ICBL and the campaign against the MAI were tested against Chapman and Fisher's taxonomy for NGO effectiveness. Therefore, the variables that contributed to the effectiveness of the ICBL and the campaign against the MAI have the potential to have also contributed to the effectiveness of other NGO campaigns.

In this chapter, each of these three conclusions is explained, and I assess the practical and theoretical value of the project.

6.1 NGO Campaign Effectiveness and the International Arena

The ICBL and the campaign against the MAI were effective in their contributions to international policy changes. The ICBL concluded with the signing of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. The NGO campaign against the MAI concluded with the failure of the MAI negotiations. In the case of landmines, both NGOs and government officials agreed that the NGO campaign figured prominently in the setting of the policy agenda, in the policy discussions, and in persuading states to sign the Landmines Treaty. In the campaign against the MAI, NGOs and some academics, such as de Larrinaga and Sjolander (2000), Smythe (2001), and Wood (2000), believed that the NGO campaign

helped set the policy agenda to block the signing of the MAI, forced public discussion about the policy, and helped contribute to various governments choosing to back away from the MAI negotiations. The MAI ultimately failed because the OECD was not the right forum for the discussions and because of internal fighting between OECD members; however, the NGO campaign is widely agreed to have exacerbated the problems between MAI negotiators by creating a maelstrom of public anger over the MAI and its secretive process (Kobrin 2001; Smythe 2001; Mingst and Wakentin 2000). The landmines and MAI NGO campaigns, therefore, were both effective in contributing to policy changes: the Mine Ban Treaty and the end of MAI negotiations. Although the ICBL concluded with an international convention and the NGO campaign against the MAI with an end to policy negotiations, they are both international policy changes. In the ICBL's case landmines were banned. In the case of the MAI, the agreement, which negotiators had intended to sign, was never completed.

6.2 NGO Campaigns and State-Level Foreign Policy

These case studies highlight the essential link between state policy and international policy. In both NGO campaigns, state policy positions affected the international policy outcomes. For instance, countries like the U.S. and Canada demonstrated, at different points on the NGO campaigns timeline, commitments to a landmines ban which in turn resulted in the Ottawa Treaty. Similarly, the MAI was defeated because individual countries like France and Canada were unwilling to agree to key principles of the agreement.

More specifically, in each campaign, there was a distinctive link between NGO's affecting CFP and meeting their objectives of an international policy change. In the case

of landmines, Canadian policymakers, urged on by NGOs, were the key actors in creating an international forum for the signing of the Ottawa Treaty. Similarly, in the case of the MAI, NGOs lobbied Canadian policymakers, in addition to policymakers of other states, in order to defeat the MAI. In the instance of landmines, NGOs developed key relationships with and employed key lobbies against Canadian foreign policymakers, and in the case of the MAI, NGOs lobbied against the Canadian government's position on international investments: these inside and outside strategies contributed to the overall effectiveness of each campaign.

The landmines and MAI cases have practical lessons. NGOs are interested in how to effectively work with or lobby against state-level policymakers. The case studies show that if NGOs are to be effective in the international policymaking arena, they need to build effective working relationships with and/or effective lobbies against state-level policymakers.

6.3 The Nature of Effective NGO Campaigns

Drawing on Chapman and Fisher's taxonomy, the landmines and MAI international NGO campaigns were effective for similar reasons. First, both campaigns were long-running, had broad-based support, and were able to advocate for a narrow policy agenda concurrently on many levels and in various arenas. Both NGO campaigns were built around coalitions and TANs, and the resulting international memberships gave each campaign the ability to lobby in many places at once. Furthermore, the campaigns used a combination of insider and outsider approaches to argue their positions, but one type dominated: the engagement of national governments. As a result, earning legitimacy was important to gaining government trust (in the case of the ICBL) and to weakening

governments' policy positions (in the case of the NGO campaign against the MAI). Each NGO campaign acted as expert sources of information and as centres for policy debate, but the Ottawa Process was unique because of the "unprecedented participation of NGOs in the negotiations"; NGOs had full say in the policy outcome (Davis 1997).

In addition to earning legitimacy with governments, the NGO campaigns worked with grassroots to build momentum towards policy objectives. The landmines campaign was effective in unifying all levels and most parts of society against the use of landmines. Militaries, in a general sense, were and are the main proponent of using landmines, but, the ICBL was able to convince a consensus among all levels of society that landmines should be made illegal. Likewise, the campaign against the MAI earned legitimacy by making MAI draft documents public, thus earning public trust. By making nearly all of the MAI-related information available online, NGOs took the MAI negotiations outside of the OECD and put them in the public arena.

Consistent with Chapman and Fisher, both campaigns benefited from the work done by key individuals – NGO leaders, politicians, and celebrities – as well as national laws and international conventions. By lobbying governments, courts, and individuals simultaneously, the NGO campaigns created momentum for policy changes. The ICBL had celebrity caché, such as Princess Diana who "more than any other individual, caused global awareness of the devastation caused by landmines to skyrocket" (Rutherford and White 1998, 110). The campaign against the MAI benefited from the individual efforts of Maude Barlow of the Council of Canadians and Tony Clarke of the Polaris Institute. Of course, there were many other key individuals, but these represent the kinds of personalities that pushed the policy agendas forward.

It is interesting that in being effective, both the ICBL and the campaign against the MAI employed a similar set of variables, and these sets of variables are consistent with those of Chapman and Fisher's taxonomy. In fact, each of Chapman and Fisher's eleven variables, some to varying degrees, contributed to the MBT and the failure of the MAI. As a result, Chapman and Fisher's taxonomy is useful for understanding NGO campaign effectiveness in the context of achieving a policy change.

6.4 Analysis of Chapman and Fisher's Taxonomy

6.4.1 Degrees of Variable Significance

Two examples of how the variables of Chapman and Fisher's taxonomy differed in their significance are how the NGOs collaborated with each other and with states. For example, the ICBL constructed a TAN with a central secretariat whereas the NGO campaign against the MAI built loose coalitions with no central office. Second, the ICBL was extremely effective in earning legitimacy, and in turn, seats at the MBT negotiating table. Alternatively, the NGO campaign against the MAI was less effective at engaging government officials in the policy process, but it worked hard to lobby governments and achieved a certain level of respect as was proven when it was invited to meet with MAI negotiators. Each of Chapman and Fisher's variables for NGO effectiveness contributed to the MBT and the failure of the MAI; however there were other variables that contributed to the campaigns' effectiveness.

6.4.2 Other Variables

Chapman and Fisher's taxonomy neglected at least three variables that contributed to the effectiveness of the ICBL and the NGO campaign against the MAI. First, the taxonomy does not address the role of NGO communication strategies. For example, although the campaign against the MAI relied heavily up on e-mail and the World Wide Web to share information and coordinate activities (See 4.5 for a description of how online communications were used in the campaign against the MAI), the ICBL did not rely upon online technology until very late in its campaign. Jody Williams (2006) argued that the idea that the ICBL was "unique because of its reliance on e-mail is not fully justified." Williams (2006) suggested that the ICBL campaign unity was initially achieved by "extensive use of the fax machine, and regular mailings of documents and informational updates to campaign members." Fax and telephone communication, argues Williams (2006), facilitated the ICBL's daily communications. In 1996, the ICBL adopted electronic communication. However, Williams (2006) stated "E-mail ha[d] been used relatively infrequently for communications outside of the campaign, and the high level of cooperation between governments and NGOs during the Ottawa Process of negotiations was more the result of face-to-face meetings than anything else." In addition, networking made possible by travel, argued Williams (2006), was "as important as fax, phone, and e-mail communication in linking together the huge coalition, both within the ICBL and between campaigners and various government and military representatives."

In the case of the NGO campaign against the MAI, online communication was essential to the campaign's effectiveness. The NGO campaign was started in response to the MAI draft, which had been leaked over the World Wide Web. Afterwards, email and the World Wide Web were the primary mediums for the transfer of MAI information

between activists. Email was cost-effective, fast, and provided the NGO campaign with an invaluable tool for the sharing of information and for lobbying (Bray 1998; Varney 2000).

However, the nature of each campaign demanded a different set of communication strategies. For instance, the ICBL communicated through a central secretariat whereas the NGO campaign against the MAI communicated in more of a web-like pattern with no central office. Overall, Chapman and Fisher's taxonomy would be improved by addressing the role of communication strategies in facilitating the effectiveness of NGO campaigns.

Second, liminal actors helped facilitate NGO-state relationships and helped move the policy agendas along their timelines. In the case of the ICBL, Robert J. (Bob) Lawson was one of a few Canadian diplomats that took a leadership role in the ICBL. Between 1991 and 2001, Lawson conducted extensive research into the social construction of the movement to ban landmines. He also helped set the stage for the Ottawa Process (see Section 3.6). By liaising between government and NGOs, Lawson helped advance the ICBL's policy goal. A similar set of events happened when the US government announced a moratorium on the export of anti-personnel mines in 1992 as a result of Senator Patrick Leahy and Congressman Lane Evans who worked closely with American NGOs (Goose and Williams 1998). Leahy (1997), in fact, worked closely with people like Ken Rutherford and Jerry White of the Landmines Survivor Network to get artificial limbs to mine victims. The willingness of political actors to engage themselves with NGO policy initiatives was an important variable in achieving the MBT.

Although the campaign against the MAI did not enjoy the same kinds of

government-NGO relations as in the campaign to ban landmines, there were politicians who helped put pressure onto the ruling governments to step away from the MAI. For example, in Canada the NDP, the Green Party (which did not hold an elected seat), made statements against the MAI (MAI-Not! 1998), and in France, Green and Communist members of its coalition government played a key role in forcing France out of the MAI negotiations. Liminal actors played a role in each campaign; consequently, a taxonomy on NGO effectiveness could benefit from a closer inspection of how liminal actors help contribute to NGO campaign policy objectives.

A third variable that contributed to the effectiveness of the ICBL and the NGO campaign against the MAI is domestic politics. For example, in Canada, during these campaigns, the governing Liberals prioritized policy agenda items based on public sentiment and affordability (Cooper 1997; Nossal 1998). In other words, there was a likelihood that overarching governmental mandates directed the tangible military, political, and economic realities of policy decisions (Beier and Crosby 1998). In the case of the ICBL, the landmines crisis was a humanitarian issue that generated strong sentimental support. It was also unlikely that Canada would fight wars requiring landmines (Anderson 2000). Furthermore, the Ottawa Process was affordable because much of the costs were paid for by the ICBL (Nossal 1998). As a result, DFAIT was able to override the protests of the Ministry of Defense in prioritizing the policy agenda to ban landmines.

Similarly, many of the countries that signed the MBT were persuaded by domestic politics. For example, the UK and France both had new governments that were friendly to the Ottawa Process, and Latin America and Africa held strong regional

consensuses. On the other hand, the political context for the MAI was more complex. The commitment levels of MAI negotiators were varied in context to national political climates. The NGO campaign against the MAI benefited from weaker states like Canada and France refusing to agree to core principles of the MAI. Furthermore, North Americans were wary of new trade agreements after having witnessed the controversial NAFTA negotiations, so the political climate was not friendly to a new international trade agreement that would have seen more powers being given to corporations. The point here is that political conditions influence the way that NGO campaigns strategize and operate.

6.4.3 The Taxonomy's Utility

Overall, Chapman and Fisher's taxonomy is a useful tool for understanding how NGO campaigns can be effective in influencing policy change. Their 11 variables of NGO effectiveness show that the NGO campaigns to ban landmines and to block the MAI were effective. Although the taxonomy does not address every variable that contributes to an NGO campaign's effectiveness, it provides a guideline for understanding and comparing the effectiveness of NGO policy campaigns.

Chapman and Fisher (2000) make an important point in suggesting that an NGO campaign's effectiveness is dependent on maintaining a policy change. In the case of both the ICBL and the NGO campaign against the MAI, improving and sustaining the policy change remains a priority.

6.5 The ICBL and The NGO Campaign Against the MAI Today

NGO campaigns are concerned with monitoring and improving policies. The ICBL and the NGO campaign to stop the MAI are currently applying lessons learned from the landmines and MAI campaigns and are working on new policies. The ICBL is working to make the MBT universal, plus it is contributing to the NGO campaign against cluster munitions. The NGO campaign against the MAI exists now as a campaign against the Free Trade Agreement of the Americas (FTAA) and other international trade-related agreements.

6.5.1 The ICBL 2007

After winning the 1997 Nobel Prize for Peace, the ICBL promised to continue to monitor the MBT and to condemn the use of landmines (MaGrath 1997). MBT violations are publicized on the ICBL website, in UN press releases, and in lobby campaigns. For example, the ICBL reports that the National Liberation Army (*Ejército de Liberación Nacional*, ELN) of Colombia planted new mines on a 28km section of road that was cleared in 2005 (International Campaign to Ban Landmines, April Newsletter). By monitoring the use and effects of landmines, the ICBL intends to keep pressure on governments and armed groups to abide by the MBT (International Campaign to Ban Landmines, April Newsletter).

In addition to monitoring the current MBT, the ICBL continues to work towards a universal ban on landmines. For instance, on February 20, 2007 the Republic of Indonesia, one of the original signatories to the MBT, deposited its instrument of ratification to the UN thus leaving Poland and the Marshall Islands as the only two

remaining signatories that have not yet ratified the MBT (International Committee to Ban Landmines, April Newsletter). In addition, on April 4, 2007 – the International Day for Mine Awareness and Assistance in Mine Action – Sudan celebrated Mine Awareness Day with a rally and speeches by NGO and government actors, and in Thailand representatives from the Thai Campaign to Ban Landmines met with their Deputy Foreign Minister to discuss the state's intention to act in accordance with the MBT (International Committee to Ban Landmines, April Newsletter). As well, on April 4 and 5, 2007 experts representing the ICBL, the Colombian and Sahrawi Campaigns to Ban Landmines, Geneva Call, and the Lebanon Landmines Resource Centre met in Barcelona, Spain to discuss the universalization and implementation of the MBT, plans to involve non-state armed actors in the MBT, and the process to reach a ban on cluster munitions (International Committee to Ban Landmines, April Newsletter).

In addition to monitoring the MBT, the ICBL works on changing other international policies. For example, cluster bombs are the current focus of an international NGO campaign that is closely linked to the ICBL. NGOs gathered enormous amounts of statistical and anecdotal information on the effects of cluster munitions onto civilian populations with the intent to get a ban on cluster munitions onto the international policy agenda. As a consequence, in November 2006, Norway announced its intention to launch a process that would lead to an international ban on cluster munitions. On May 25, 2007, Jody Williams made the closing remarks at the Lima, Peru Conference on Cluster munitions: "I believe that we ... will prevail on clusters as we have on landmines" (International Committee to Ban Landmines, April

Newsletter). It is interesting that the campaign to ban cluster munitions' policy goals and processes are similar to those of the ICBL.

6.5.2 The NGO Campaign Against the MAI 2007

The NGO campaign against the MAI dissipated after the MAI failed, but the core NGOs turned their attention to protesting WTO meetings and to stopping other trade agreements like the FTAA. The FTAA is a major trade agreement that was planned to expand NAFTA from the Arctic to the Antarctic – to every country in Central America, South America, and the Caribbean, except Cuba (34 countries in total). Although it was based on the NAFTA model, it would have gone far beyond NAFTA in its powers. For instance, the WTO's GATS was to be merged with the MAI to create a new trade powerhouse agreement for the Americas (Public Citizen, Global Trade Watch 2007). FTAA negotiators, like Canada, argued that the FTAA would ensure prosperity, democracy, and free markets for goods and services, which was a similar approach as was taken by MAI negotiators after MAI went public (Foreign Affairs and International Trade Canada 2007). FTAA negotiations began in 1994 and were supposed to have been completed by January 1, 2005 (Greenberg 2005).

The international campaign against the FTAA began before the MAI was defeated and continues today. NGOs like the Council of Canadians, Public Citizen, and the Citizens Trade Campaign initiated publicity campaigns to raise awareness about the FTAA's potential negative effects. For example, the Council of Canadians released *Stop the FTAA: Democracy Before Trade*, a brief document describing the FTAA and its problems (available from http://www.canadians.org/trade/documents/stop_the_ftaa-

e.pdf), Public Citizen collected FTAA related information (available from <http://www.citizen.org/trade/ftaa/>), and the Citizens Trade Campaign produced a *Call to Action* (2003), instructions for how to disrupt forthcoming FTAA meetings (available from <http://www.citizenstrade.org/pdf/calltoaction.pdf>). The campaign grew into an international campaign that organized major protests around FTAA negotiations. At an FTAA meeting in Miami, Florida, “thousands” of trade unionists, environmentalists, retirees, students, fair trade advocates, members of low income communities, and others gathered against the FTAA (Citizens Trade Campaign 2003). Major publicity campaigns and public protests marred the FTAA negotiating committee’s attempts to come to an agreement.

Trade policy negotiators learned from the defeat of the MAI. On the front page of the FTAA’s website there is a banner titled “Participation of Civil Society,” and in smaller font is a quote by the Ministers Responsible for Trade in the FTAA participating countries (1998):

We recognize and welcome the interests and concerns that different sectors of society have expressed in relation to the FTAA. Business and other sectors of production, labour, environmental and academic groups have been particularly active in this matter. We encourage these and other sectors of civil societies to present their views.

In other words, the FTAA negotiators, many of whom were party to the MAI negotiations, decided that engaging NGOs was less risky than ignoring them.

Faced by enormous opposition from NGOs and some governments (Venezuelan President Hugo Chavez was a boisterous opponent), FTAA talks stalled in November 2005 in Argentina. Although most negotiators claimed that the FTAA was not dead, there has not been a major meeting since. Instead FTAA meetings have morphed into Free

Trade Agreements (FTAs), which are trade agreements between individual countries. NGOs like the Council of Canadians, Public Citizen, and the Citizens Trade Campaign continue to adapt their strategies to protest policies that promote inequities.

6.5.3 Summary of the Current NGO Campaigns

Both the ICBL and the NGO campaign against the MAI continue to work. The ICBL has retained its core members, its central secretariat, and its narrow focus, although it is now also working on a campaign to ban cluster munitions. On the other hand, the NGO campaign against the MAI has changed into new campaigns against other trade agreements like the FTAA. It is significant that both NGO campaign structures are dynamic and that they are able to work in constant political turbulence. It would be interesting to compare the current NGO campaigns to Chapman and Fishers' taxonomy.

6.6 Lessons Learned

There are 6 lessons learned from this study. First, Chapman and Fisher's taxonomy for NGO effectiveness has value in that it provides a template for testing NGO effectiveness. Its limitations are that it generalizes certain key issues like NGO campaign objectives. Nevertheless, it provides a thorough starting point for analyzing NGO effectiveness. Second, this research offers insights to NGO campaign policy objectives. Future NGO campaigns are shown how different kinds of policy changes affect the short and long term effectiveness of a campaign. Third, the Canadian cases of the landmines and MAI issues are compared which contributes to the literature on the effectiveness of NGOS in Canadian foreign policy. It also contributes to looking at these two case studies

from the perspective of testing effectiveness. Fourth, this research offers insights to NGO campaign structures. Specifically, it provides ideas for how to adapt campaign structures to specific policy initiatives. Fifth, the assessment of NGO campaigns can help support changing world order. Sixth, this research offers insights to NGO campaigns for future action. NGOs are constantly in a state of adaptation and renewal, and this research contributes to the body of knowledge of how NGOs can pursue policy initiatives.

6.7 Future Areas of Study

There are several areas of future study:

Future studies in the area of NGO campaign effectiveness could analyze the landmines and MAI NGO international campaigns from the perspective of other countries or regions like the US or the EU. By gathering a more complete picture of NGO effectiveness at state levels, there can be a better understanding of their activities and effectiveness at the national and international level. Idiosyncratic state behaviour might show how certain states have more influence over an international policy decision than others.

Another area of study may look at how NGO effectiveness can be maximized in different political settings and under various international conditions. For example, what conditions facilitate NGO effectiveness? The variable might take into account historical conditions, political mandates, or dramatic events. A key question is how can NGO campaigns be made to be more effective when dealing with national governments? Each NGO campaign's effectiveness is affected by the conditions in which it works, and a focus on conditions will lead to a better understanding of NGO effectiveness.

Third, future research might also look at NGO effectiveness in context to insider strategies. When NGOs are granted access to policy-making arenas, how can they be effective in achieving their policy goals? In context to this, the role of liminal characters also deserves further attention.

Finally, further work on how NGOs build relationships with governments and TANs would be useful for understanding how NGOs can affect policy processes. For example, an NGO campaign's effectiveness is increased when it collaborates with national governments, so NGOs are interested in learning how to broaden their utility, democratize foreign policy, and build working relationships with governments. In addition, NGOs are interested in building strong regional and ideological networks, so they are interested in learning about international NGO campaign building strategies, communication methods, and international financing strategies.

6.8 Final Thoughts

Overall, it is important to study NGO effectiveness for the following three reasons. First, NGOs are interested in learning how to involve themselves more effectively in policy decisions and want a better understanding of how NGO campaigns contribute to policy change. Second, research on NGO effectiveness is dependent on a dynamic set of variables and conditions. The complexity of international society continues to increase, and NGOs are keen to learn how to make themselves relevant to decision-making processes. Third, NGO effectiveness is important to the democratization of international policy processes. For example, NGO campaigns promote public negotiations as well as government responsibilities to human and environmental rights. Furthermore, NGO campaigns contribute to popular democratic struggles, and deeper

levels of democracy should result in increased levels of public interest and participation in policy processes.

This study shows how Chapman and Fisher's (2000) taxonomy is useful for understanding NGO effectiveness. By comparing the variables of effectiveness in different NGO campaigns, like in the ICBL and the NGO campaign against the MAI, lessons about NGO effectiveness are learned. For example, Chapman and Fishers' eleven variables are consistent in the ICBL and the NGO campaign against the MAI. As a result, the same variables, hypothetically, contribute to other NGO campaigns' effectiveness. If NGO campaigns can better understand the variables that contribute to their effectiveness, then NGO campaigns will have increased opportunities to affect policy.

It is unlikely, as these cases prove, that an NGO campaign cannot exactly duplicate its success in another campaign. The complexities of current issues combined with the complexities of an international NGO campaign create conditions that are usually only decipherable after an issue has reached its conclusion. However, by understanding variables that consistently contribute to NGO campaign effectiveness, NGOs can spend time strategizing over which issues to tackle at certain times. As well, the leaders of new NGO campaigns will be able to adapt their strategies based on what has proven to be effective in other campaigns. Ultimately, this study shows that NGO campaigns can be effective in influencing policy change, and this reinforces the idea that non-state actors play a role in making policy.

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